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A NEW ERA IN LEGAL DEVELOPMENT.

BY HANNIS TAYLOR.

WHEN in 1814 Savigny, the founder of the historical school of jurisprudence, published his "*Beruf unserer Zeit,*" he made a revelation to the world through his declaration that law is part and parcel of national life. "I regard the law of each country," he said, "as a member of its body, not as a garment merely which has been made to please the fancy, and can be taken off at pleasure and exchanged for another." Instead of regarding law as the creation of the will of individuals, he maintained it to be the natural outcome of the consciousness of the people, like their social habits or their language,—the people, he said, is always the true legislator (*"Das Gesetz ist das Organ des Volksrechts"*). He, therefore, assimilated changes in law to changes in language:

> "As in the life of individual men no moment of complete stillness is experienced, but a constant organic development, such also is the case in the life of nations, and in every individual element in which this collective life consists. So we find in language a constant formation and development, and in the same way in law."

The real source of Savigny's inspiration is thus to be found in the work of the group of scholars who, just before his time, had created the science now known as Comparative Philology, which has revolutionized the thought of the world, not so much through

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its marvellous revelations, as by the discovery of the new method of comparative investigation that made such revelations possible Out of the application of the new method to fresh subject-matters have since arisen Comparative Mythology, Comparative Politics and Comparative Law. By the aid of the two sciences last named, a flood of light has been shed upon the processes through which the aggregate, generally known as "government" and "law," emerged from progressive history in the nations that have made the deepest impress upon civilization.

The most important single outcome of Comparative Politics—which may be called the science of state-building, the science of constitutions—is embodied in the discovery that the only two conceptions of the state known to the ancient and modern world have been and are represented by aggregations or federations in which the starting-point was the village community. The typical modern state in Britain, known as England, represents an aggregation of shires; each shire an aggregation of hundreds; each hundred an aggregation of village communities or townships. The power to subdue and settle a new country and then to build up a state by the process of aggregation constitutes the strength of the English nation as a colonizing nation. By that process, capable under favorable geographical conditions of unlimited expansion, has been built up the Federal republic of the United States. After thus unfolding the origin and growth of political constitutions, ancient and modern, Comparative Politics has undertaken to classify and label such constitutions as buildings and animals are classified and labelled by those to whom buildings and animals are objects of study. Not until the history of the outer shells or constitutions of states had been thus subjected to critical examination at the hands of Comparative Politics did Comparative Law undertake to unfold the history of such bodies of interior or private law as have existed as distinct codes. The outcome is the discovery that there are existing in the world to-day only five distinct systems of law: the Roman, the English, the Mohammedan, the Hindu, the Chinese. A survey of the geographical areas thus occupied discloses the fact that about nine-tenths of the civilized world is now dominated by Roman and English law in not very unequal proportions.

When the state system of modern Europe, in which the state as the nation is the unit, swept away and superseded the ancient

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state system in which the city commonwealth had been the unit, the public law of Rome, constitutional and administrative, was rejected because inapplicable to widely divergent political conditions. What did survive was the private civil law of family and property, of contract and tort, based on principles of natural equity and universal reason which have not lost their force with the altered circumstances of more recent times. It is that system of Roman private law which became the basis of the codes of the Continental nations, whence it passed into Mexico, Central and South America, to certain states in South Africa, as well as to Scotland and Louisiana. On the other hand, it is the public law of England that has had the widest extension, and is exercising by far the most potent influence, by reason of the fact that the English constitutional system stands out as the accepted political model after which have been fashioned the many systems of popular government now existing throughout the world. Since the beginning of the French Revolution, nearly all the states of Continental Europe have organized national assemblies after the model of the English Parliament in a spirit of conscious imitation. Not, however, until the typical English national assembly, embodying what is generally known as the bicameral system, had been popularized by the founders of the Federal republic of the United States, was it copied into the Continental European constitutions. Nothing is more interesting in the institutional history of the world than the approaches now being made to the constitutional system of the United States by Mexico and the states of Central and South America. In some instances in Latin America, states approach very closely, so far as their constitutional law is concerned, to the English original as modified by American innovations; in others, Federal states are organized on the American plan, with certain reservations. But, no matter to what extent a Mexican, Central or South-American state may adopt English constitutional law in the structure of its outer shell, its interior code of private law is invariably Roman,—a fact equally true of every Continental European state whose constitution has been founded on the English model.

After thirty years of study in Comparative Law, the idea dawned upon me while I was analyzing the existing state systems of the Latin-American republics,—whose constitutions are substantially English and whose private law is substantially Roman,—that a

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world-wide fusion is now going on between the two systems, out of which is arising what I have ventured to term the typical state-law system of the future. In announcing this new thought, in the preface of a book lately published, I have said:

"Jurists who view the existing state system of the world as a connected whole cannot fail to perceive, when their attention is specially directed to the subject, that, within a century, in the blending of Roman and English law there has occurred a phenomenon that marks a turning-point in the history of legal development. After centuries of growth, Roman public law, constitutional and administrative, perished, leaving behind it the inner part, the private law, largely judge-made, which lives on as an immortality and universality,—as the fittest it survives. In the same way and for the same reason, English public law, the distinctive and least alloyed part of that system, is living on and expanding as the one accepted model of popular government. The phenomenon in question is presented by the blending now going on between the strongest elements of Roman and English law in the state systems of Continental Europe, in those of Latin America and in that of the State of Louisiana. If the existing state system of France is taken as a typical illustration, we there find the outer shell of the state, the system of parliamentary government, to be purely English through deliberate and recent imitation, while the interior code of private law is essentially Roman. The same thing may be said of every other Continental European state having a parliamentary government. In the state system of Louisiana, we find the outer shell of the state to be English, as modified by American innovations, while the interior private law is based on the Code Napoléon. The same thing is true of the seventeen Latin-American republics which have adopted English constitutions in the North-American form, while retaining the private law drawn from Roman sources. Is it not, therefore, manifest that, out of this blending of Roman and English law, there is rapidly arising a typical state-law system whose outer shell is English public law, including jury trials in criminal cases, and whose interior code is Roman private law? This far-reaching generalization, now submitted to the consideration of students of the Science of Jurisprudence for the first time, so far as the author knows, has been subjected in advance to the searching and approving criticism of a few of the most eminent jurists of the English-speaking world."

As one of the greatest critics in this domain was near at hand, I naturally submitted my generalization on this subject to the Right Honorable James Bryce. The manuscript, with his comments upon it, was then forwarded to Professor Thomas Erskine Holland, who wrote from Oxford in reply:

"In particular (with Mr. Bryce) am I struck with the truth and originality of what you say (on p. 9 of the Preface) as to the 'English

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public law as the outer shell and Roman private law as the interior code,' and must look forward to your promised illustration of this idea in a full chapter on Latin America—as you say an unploughed field."

After the publication of my book, I hastened to submit my new thought as to the fusion now going on between Roman and English law to the greatest Romanists of Germany—Dr. Rudolph Sohm and Dr. von L. Mitteis of the University of Leipsic. I was grateful, of course, when the latter replied:

"The idea of representing the operation of Roman and English law in universal historical relations is as fruitful as it is splendid, and I have found in your book a great deal of instruction and inspiration. . . . I, as a Romanist, am particularly delighted to find a comprehensive appreciation of the lasting and immortal significance of the Roman law in the most distant regions, and have found in it a mass of facts with which I was unfamiliar. The combination of English and Roman elements of law which you portray is most interesting."

Dr. Sohm, after insisting upon certain qualifications of my formula, said:

"Your thesis of the two legal systems of the world, the Roman and the English, and the extension over the civilized world, on the one hand, of the English public law, and on the other of the Roman private law, embraces a positive element of truth, and expresses plastically certain directions of legal development, and gives a clear picture, portrayed with powerful lenses, of the broad course taken by legal history."

After I had pointed out to Dr. Sohm that all of the qualifications upon which he insisted were fully stated in the body of the book, he at once withdrew all objections, saying:

"So that our conceptions in actual results are essentially identical and only leave differences in tone and manner of presentation. The principle formulated by you has, however, the great advantage of compressing into a short statement a thousand-year period of legal development, by means of a few words presenting a sharply defined picture of an enormous mass of material."

As my thesis relates specifically to the Latin-American world, I next submitted it to the most eminent jurist from that quarter, Señor Nabuco, now Brazilian Ambassador at Washington. He answered:

"By turning co-ordination into synthesis, you show the link between masses of facts apparently separate. There are in history two magnificent fabrics of social discipline and organization: the Roman private law and the English political or public law. It would be impossible

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to survey the whole field of either without wondering at their breadth, their solidity and their finality. You are the first, however, to merge the two into a common concern; that is, to blend together the spirits of unity and liberty, which characterize respectively the old and modern civilizations. That conception of yours is eminently suggestive and full of potentialities for new scholars; it will give a new interest both to the study of Roman law and of English institutions."

I next submitted the matter to Dr. John Westlake, the great authority on international law at the University of Cambridge. He answered:

"This is a sane and fruitful generalization. By giving its due part to each of the two influences in history, it should assist in bringing peoples to understand one another. The Romanist should learn to study respectfully the modifications which the English common law has made for itself in Roman private law, and the English lawyer should learn not to boast as if his common law were all, or even in the main, his national creation. Each may be content with the great claim which, barring some modifications, is allowed him."

Judge Shackelford Miller, Dean of the Jefferson School of Law and a specialist in comparative law, has said in a very careful and extended review:

"The generalization of the fusion of Roman and English law, now first worked out by Dr. Taylor, is an entirely new contribution to legal and political science. Like the accurate and profound generalization of Maine, that summed up the agencies of legal progress in Fiction, Equity and Legislation, this new and equally accurate and profound generalization of Dr. Taylor must be readily accepted by students of jurisprudence everywhere."

These clear and positive expressions of approval from famous jurists of different nationalities have been thus placed in juxtaposition in order to illustrate the consensus of view as to the soundness of a generalization whose far-reaching importance has not yet been estimated.

As an illustration of the process of evolution in which the fittest survives, nothing can be more remarkable than the survival of Roman private law as the fittest part of the Roman system, the survival of English public law as the fittest part of the English system, and the sudden fusion of the two survivals, under the eyes of men now living, in a new and world-wide combination. The cause of the transition that has taken place, within a little more than a cen-

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tury, from the old or artistic method of historical investigation to the new of sociological, is to be found in the consciousness that the system of permanent, uniform and universal law that regulates growth and decay in the physical world applies as well to the growth and decay of societies and their institutions as to other phenomena. The French Revolution gave a strong stimulus to that kind of consciousness; and the French scholars who were nearest to the upheaval that brought suddenly into view the underlying social forces which had lain ominously silent during the dreadful calm of the latter days of the *ancien régime* were the first to undertake, after the Peace of 1815, the mighty task of rewriting the history of the world from the new point of view. Auguste Comte raised himself to the level of Leibnitz and Descartes by perceiving that social organization must be viewed and explored as a whole, because of the connection between each leading group of social phenomena and every other leading group, so intimate as to make a change in one result in a corresponding modification in all the rest. Not long ago, Mr. Justice Holmes observed "that the tendency of our age to 'explain things' by stating the conditions under which they came into being, and noting their growth under the influence of a varying environment from age to age, is as strongly marked in the field of law as in other departments of intellectual activity. This method of legal study has done, and is doing, a great work for English and American law, placing particular doctrines in their proper places, making plainer the relations of one part of the law to another, sweeping away cobwebs of tradition, and separating the essential from the accidental in respect to institutions." That method of study has been still more fruitful in the domain of Roman law. Jurists of the historical school now perfectly understand that jurisprudence is a Roman creation, legal science a Roman invention.

The very division of all law into public and private, as stated and understood by the Romans, has been transmitted without change to the modern world. As Roman private law was formulated by the mighty line of Pagan jurists that came to an end before Christianity ascended the Imperial throne, it is not strange that the Digest, into which their works were condensed, is silent as to its offices and institutions. That human, heathen Digest embodies the science of life as it existed at Rome before the social

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fabric was affected by Christian influences.* When at the outset it became necessary to adapt the rigid system of archaic law embodied in the Twelve Tables to the growing wants of an expanding society, the prætorian edict became the channel through which the *jus gentium* flowed into and enriched the primitive system. Thus, in a rough and general way, the edict was able to work out the principles of a free and equitable law for the mutual dealings of man with man. In solving the finer problem—which involved the discovery of the true nature of these dealings themselves by tracing the unconscious intention underlying them to a moral source—the Roman jurists displayed their highest genius in ascertaining the precise requirements of *bona fides* in human transactions, and in applying them to individual cases. Those precise requirements, by standing the test of time and experience, have secured for Roman private law its imperishable power. Roman civilization gave birth to only one original creation that has survived—Roman private law.

The conquering nations, moving in entire order, that settled down upon the wreck of the Roman Empire, brought with them from the forest and the steppe a new scheme of state organization, out of which has finally emerged the new conception of public law now dominant throughout the world The political systems of all the Teutonic nations, as they appear to us when written history begins, contained the germs of the representative principle, and in every one of the modern European states that have arisen out of the settlements made by the Teutonic nations on Roman soil a serious attempt has at some time been made in the direction of representative government. But the remarkable fact is that, in every Continental state in which such an attempt was made, it ended at last in failure and disappointment. By the sixteenth century, every effort in the direction of representative government upon the Continent of Europe had come to an end. In the words of Guizot: "Pure monarchy prevails. England alone obtains a constitutional government. This epoch lasts from the sixteenth century to the French Revolution."† In England only among the Teutonic nations did the representative system, which

* "*Une science nouvelle naquit, indépendante et laïque, la science de la société civile, telle que l'avaient dégagée les Romains, et qui pouvait passer pour le chef-d'œuvre de la sagesse humaine.*" Esmein, "*Cours d'histoire du droit français*" (ed. 2), p. 347.

† "History of Representative Government," p. 258.

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has been called "a Teutonic invention," survive. In that way, the English nation has been able to hand down the representative principle from the barbarian epoch to modern times; in that way, England has become the "mother of parliaments"—the teacher of the science of representative or constitutional government to all the world. Since the date of the French Revolution, nearly all the states of Continental Europe have modelled their constitutions upon that of England in a spirit of conscious imitation. The "British political model was followed by France, by Spain and Portugal, and by Holland and Belgium, combined in the Kingdom of the Netherlands; and, after a long interval, by Germany, Italy and Austria."* By a perfectly natural process of reproduction, the English constitution reappeared, in a modified form, in what may be called the typical English states in North America, out of whose union arose the Federal republic of the United States. As thus modified by reproduction the English constitutional system passed to South America, where it dominates in the state organization of every one of the seventeen Latin-American republics. If a state may be compared to a watch, its outer shell or case represents the state's political constitution or public law, while its inner mechanism represents the state's interior code or private law. With that illustration clearly in view, it is easy to comprehend at a glance the nature of the union of two distinct systems of law in a new combination, as that combination now appears in the state-law systems of Continental Europe and Latin America. Everywhere the outer shell of the state, the public or constitutional law, is English by conscious adoption since the French Revolution, while the inner mechanism or private law is everywhere Roman. If Napoleon were now alive, he could say: "This union of the strongest parts of the two great law systems of the world has all taken place under my eyes." That fact should help us to realize the suddenness with which the two survivals,—Roman private law and English public law,—after ripening for ages in isolation, have united in a new combination.

What is to be the practical outcome of the creation of this typical state-law system of the future in which the public law is to be English and the private law Roman? Japan in sweeping into the circle of civilization has followed the formula. She

* Maine, "Popular Government," p. 13.

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has modelled her parliamentary constitution on that of England, while the deep infusion of Roman private law with which she has supplemented her ancient code has been drawn from Germany. The same process is in motion in Russia and Turkey. It is obvious that the study of the two systems must become universal. No man can hereafter claim to be a jurist, in the full sense of that term, until he has mastered English public and Roman private law. Long ago there was a revival in the English universities of the study of Roman law, which has extended to this country, where interest has been quickened in the subject by the closer relations recently established with Cuba, Porto Rico and the Philippines. As all students of public law throughout the world centre their thoughts upon a single type, a single conception of constitutional government will crystallize, which will be subject only to local variations in each country. Through the same process there will be an assimilation out of which there should arise a universal code of private law, embodying a system of rules substantially identical as to property and contracts, and enforceable through a uniform system of civil procedure. The commercial law of all civilized nations is everywhere substantially the same, and nothing is more marked than the tendency now growing among English-speaking peoples on both sides of the Atlantic to substitute for common-law pleading the more convenient and reasonable forms of procedure in use during the later Empire, and now known in the United States as "the reformed code procedure." There is an equally strong tendency here in the commercial cities to withdraw complicated business transactions from the consideration of juries in order to submit them to a referee *(judex)*. As more rapid intercommunication draws the nations of the world closer together, the longing increases for a universal private law—that is, for a universal conception of legal right, capable of embodiment in a code of substantive and adjective law. That result will become more and more possible as Roman private law becomes more and more nearly universal.

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NICOLAI PETROVICH REZANOV.

BY GERTRUDE ATHERTON.

THE 27th of September, 1804, was a memorable day for Russia. Her first embassy to Japan entered the waters of that most mysterious, inhospitable, desirable Empire. Baron Rezánov, Chamberlain and Privy Councillor, favorite of fortune and subtle pilot of three Imperial brains, longing for new fields to conquer, had come at his own suggestion to establish commercial relations between Russia and Japan. Failure was a word as incomprehensible to Rezánov as to the rising Bonaparte; and on this radiant morning, when the "Nadeshda" (Hope) bearing himself and suite sailed into Japanese waters not far from Nagasaki, it being the anniversary of the coronation of Alexander I, he summoned all on board to the deck and made them a speech. Rezánov was admitted by even his enemies to have "the greatest possible command of the Russian language"; but, as this speech (*vide* Langsdorff's "Voyages and Travels") was translated from Russian into German and thence into English, little but its essence remains. Nevertheless, the words echo down the century with the ghosts of many another ambition long since dead and dust.

"Russians: In our voyage round the world we are at length arrived in the waters of Japan. Love of country, dignity of soul, defiance of danger, perseverance, subordination, mutual esteem, gentleness and forbearance one toward another—these are the characteristics that distinguish the Russian seamen, these are the virtues by which the Russians in general are distinguished.

"You, officers of the Navy, well have you deserved the gratitude of your fellow citizens! You have already acquired a degree of renown of which even jealousy can never deprive you.

"You, cavaliers and associates of the Embassy, my worthy companions and assistants, there still remains to us the accomplishment of the brilliant object of our long and hazardous voyage—the opening to our country of new sources of wealth and knowledge. And you, sailors,

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cherished children of the sea service, rejoice! The happy end of your diligent labors is almost attained.

"Long have our hearts and minds been united in serving with zeal the excellent Monarch by whom we are deputed to this part of the world; and may gratitude toward this beloved ruler still strengthen and animate us in the performance of our arduous task! The present is a solemn day to all the sons of Russia, but to none so solemn as to us, who are entering the Japanese dominions, who are the first to see the glorious Russian flag wave in the harbor of Nagasaki.

"As representative of our great Emperor, and as the witness of your admirable performance of duty, it was no less flattering to me to share your toils and dangers than it is gratifying solemnly to assure you of the gratitude which awaits all of you in our dear native country.

"I solemnize this festival of Alexander the First's coronation in the waters of Japan, and I make it forever memorable to you in this first reward of your services. You have here the likeness of our beloved Emperor. Wear it as your chief ornament. Wear it as a testimony of zeal and diligence in his service. Recollect always in beholding it that this imposes upon you still more deeply the obligation of continuing true to those duties of which your forefathers were so proud, and by which they reached the high pinnacle of fame. You will learn to bless the times in which the merits of the least of Alexander's subjects, even in the remotest parts of the world, do not pass unrewarded, and from the Throne itself."

The Ambassador then decorated each member of the enthusiastic crew with a medal which had been struck for the Tsar's coronation and which framed a portrait of Alexander's handsome manly young face. "The ceremony seemed approved by heaven," writes Dr. Langsdorff, the surgeon and naturalist attached to the expedition, "for the day was more than usually beautiful and serene. At a jovial dinner the health of our august Emperor was drunk, when the Sea of Japan resounded, for the first time, to the thunder of Russian cannon!"

Rezánov, one of the ten barons of Russia, had won his court title of Chamberlain (by which he was commonly known) in accordance with a law of Peter the Great, who justly despised the "princes" with whom his vast and savage Empire swarmed. Some were great chieftains, with thousands of serfs and retainers, others but the despots or rich men of small communities. Peter, though he transformed a favored few into Counts and Barons—titles borrowed from Germany and highly prized—decreed that his nobles without exception should hold rank at court by virtue of certain court titles, to be acquired by hard work and distinguished

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services. This law continuing in force during the reigns of Catherine the Great and Paul VIII, Rezánov, born in 1764, won his court title of Chamberlain by his exertions in the Senate, his services to the Admiralty and to the shipbuilding industry in Eastern Siberia, his patronage of art, literature and science; above all, by his incomparable management of the great Russian-American Company. Upon the accession of Alexander he became a member of the Privy Council.

When Shelikov, the Siberian fur-trader and merchant, visited St. Petersburg in 1788 Rezánov, then a young man of twenty-four, contemptuous of life at the most dissolute court in Europe, already sensible of his uncommon talents and energies, met the great colonizer by chance and immediately became interested in his plan to obtain a monopoly of the fur trade in the islands and territories added by the Golikov-Shelikov Company to Russia, a monopoly which would not only increase vastly the wealth of the stockholders, but prevent the wholesale slaughter of sables, seals, otters and foxes by small traders and foreigners. Rezánov became a partner in the Company and developed an astonishing capacity for business and hard work. When Shelikov died in 1795, having obtained from Catherine but a half of the power and privileges he had solicited, his new partner's ambitions had far outrun his own. The two leading companies had been amalgamated, several others had been drawn in, ships and factories had been built and protected by forts; but it remained for Rezánov to father the first great Trust put into operation upon American soil. For this a charter was necessary. Opposed by the enemies of the Company and by the Admiralty—always jealous of the Civil Service—it was no easy matter to win Catherine; peculiarly difficult for Rezánov, one of the handsomest men in Europe, who had developed his talent for finesse in dodging the honor of being added to the list of the Imperial courtesan's lovers. But although too fiery and impatient, as events proved, ever to be a successful diplomatist, Rezánov, with great ends to gain and up to a certain point, could play successfully every card of the subtle, supple, accomplished courtier. He managed Catherine with such consummate skill that she finally gave him her promise to sign the charter. Before the document was prepared she died. Paul was even more intractable. He was already imbued with a prejudice against the Company. The enemy had his ear.

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Harrowing tales were told him of injustice and atrocities. He vowed he would put an end to the fur business altogether. Nevertheless, at the end of three years, he signed the charter. Rezánov was now the guardian of a Company granted, for a period of twenty years, full and exclusive privileges in hunting, trading, building and in all new discoveries over the vast region beginning from latitude 55 degrees north, and including the long chain of islands between Kamchatka and Alaska, and the archipelago between Kamchatka and Japan. Alaska contained over 500,000 square miles, and there were numberless other islands besides those included in the archipelagoes; all of them the haunt of the richest fur-bearing animals in the world.

That was in 1799. Paul was murdered in 1801. Alexander, young, ardent, ambitious, ascended the throne, and the most brilliant and energetic member of his court had no difficulty in persuading him to fit out an expedition to circumnavigate the globe and include a diplomatic visit to Japan. In 1803 the "Nadeshda" and the "Neva" put out of the harbor of Kronstadt; and, after a voyage of fourteen months, hazardous, uncomfortable, but scientifically valuable (during which Rezánov kept a diary that is preserved in the St. Petersburg Academy of Science), the ships separated, and the one bearing the Ambassador entered with pomp and pride the waters of Japan.

When it sailed into the harbor of Nagasaki the bay was covered with boats, the hills and wharves and fields and terraces swarming with an excited people. The scene looked like a flaming picture-book and had all the effect of a brilliant and enthusiastic reception; but it was to be from these chattering little creatures, whom no doubt Rezánov despised to the depths of his haughty Russian soul, that he was to receive the first humiliation that had checked his career. The Japanese cared not at all for amiable relations and commercial treaties with Russia; and, although too Oriental to say so plainly and at once, it was not long before Rezánov understood them and chafed angrily at the useless interviews and delays. It was only after much parley that the ship was permitted to remain in Japanese waters at all. Finally, however, it was towed to a sheltered position; and, after more parley, messengers left Nagasaki to carry to Kioto the news of the arrival of the Russian Embassy to the court of the Mikado.

Then began a series of polite but exasperating subterfuges, by

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which the Japanese, no doubt, hoped to madden the haughty and impatient Russian into flinging duty to the winds and taking himself off in disgust. That Rezánov gave way to more than one burst of temper is certain; and the Japanese local officials, although they grinned and ducked and applied to Russia all the complimentary epithets in their mendacious vocabulary, had no illusions as to the Ambassador's opinion of themselves.

Rezánov, when he entered the harbor of Nagasaki, had been fourteen months at sea on a small vessel, with brief intervals to stretch his legs on land. He was constitutionally an active man, and his health had suffered. To his reiterated demands for the privilege of exercising on shore the Japanese, for a long time, turned a politely deaf ear. At last, however, they were made to believe that the Ambassador from Russia would die in their waters and that they would be held responsible. They had no more desire for war than for amity with the barbarians of the north and, after more parley, quarters were prepared for him at Megasaki, a narrow neck of land across the bay. The pleasure-barge of the Prince of Fisi was placed at his disposal; and, amidst another gala scene, the bay and hills covered with the populace in their finest attire, flags waving, kettle-drums beating, the barge containing Rezánov and his suite was towed to shore by a long line of boats decorated with flags. The sixty rowers of the boat sat with their arms folded, chanting the honor about to be conferred upon Japanese soil. Rezánov sat in the central compartment alone, surrounded by gorgeous lacquer-work, silken hangings, tapestries. But all this pomp was no consolation for the imprisonment that awaited him in the little fort and its meagre strip of land. Between chagrin and inertia he fell ill in earnest, the attack sharper and more lingering from the steady undermining of his constitution since his departure from Russia.

Nevertheless, he had no intention of leaving Japan without an interview with a "Great Man" from Kioto, were he denied the right of visiting the capital and presenting his credentials to the Emperor himself. At last the Japanese understood that, whatever his personal resentment, he would not forget the honor due to the Sovereign he represented; they were afraid to exasperate him too long, and one day the welcome news was brought him that a "Great Man" had arrived in Nagasaki and, representing the Mikado, would give him an audience on the following day.

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Again there were endless pow-wows over the details of the interview. At that time Japan's only intercourse with the outside world was through a few Dutch traders, who submitted to all their humiliating conditions. The emissaries gave Rezánov to understand that he must prostrate himself before the "Great Man" from Kioto. The haughtiness of Rezánov's refusal may be imagined, although we have record only of the fact. He declined in the name of the Emperor of all the Russias, but, after more parleys, he consented, there being no chairs in the hall of audience, to sit on his heels for a few minutes.

Again he entered the Prince of Fisi's barge, and, if he looked anything like the full-length painting of him lost in the fire of San Francisco, which had been brought down from Sitka after the purchase of Alaska by the United States, he must have been a superb figure in his full Ambassador's costume—red sash, cocked hat and orders blazing on his breast. He had a tall, straight, commanding figure, a long pale face smoothly shaven, a long finely cut nose, a firm, rather large, mouth, eyes humorous and brilliant under heavy lids, and light hair which he wore short and unpowdered. At any court but that of Japan he would have been the most imposing figure in the diplomatic corps; but what impression can a man make while sitting on his heels?

And the interview amounted to nothing. If Japan had not dared to refuse an interview to the Tsar's Ambassador, it was within her right to decline the honor of a treaty with Russia, and this she did with many suave phrases and plausible reasons. Diplomatically, it was impossible to take offence. The magnificent presents of the Tsar, which had been tentatively accepted and gloated over long since, were returned, and a few days later Rezánov sailed out of the harbor, glad to turn his back on Japan, although wounded in pride and health.

When he arrived at Okhotsk he had been nearly two years absent from Russia and had received no letters. Two communications awaited him. Bonaparte had been crowned Emperor of the French, and the affairs of the Company were in a bad way. There had been reckless slaughter, famine, disobedience of laws, much dishonesty. Both the Tsar and the Company commissioned him to remain in the new dominion and reform all abuses.

Whether Rezánov remained willingly or not in this savage country after his long exile we do not know. Certainly, it offered him

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a fresh range for his ambition and energy, and he accomplished his task as thoroughly as he did all things. Travelling slowly among the islands, he established measures to protect the fur-bearing animals from marauding foreigners and dishonest employees, punishing, banishing, rewarding. He also established libraries and schools—even cooking-schools. But the farther he travelled the more he appreciated the fact that, without a constant supply of the foodstuffs which the treaty with Japan would have insured, the Company would perish.

But Japan was not the only fertile country on the shores of the Pacific. Rezánov spent that winter—1805-6—in New Archangel (Sitka), the headquarters of the ablest of his managers, Baránhov. During months of incessant rain Rezánov heard often the tale of a wonderful strip of land between 40 degrees and 30 degrees, owned by Spain, sparsely settled, but rich in soil and climate; and, in the damp discomforts of that wretched winter, when, like his employees, he often had not enough to eat and was again ill, Rezánov, although he amused himself writing a lexicon of the Japanese language, matured his plans for the absorption of not only California, but what is now known as British Columbia and Oregon. On February 15th he wrote to Zapinsky, his correspondent in the Company:

"I think I may say that at the Columbia we could attract a population from various parts, and in the course of ten years we should be strong enough to make use of any favorable turn in European politics to include the coast of California in Russian possessions. The Spaniards are very weak in these countries, and if, in 1798, when war was declared by Spain, our Company had had a force corresponding to its proportions, it would have been very easy to seize California from 34 degrees to Santa Barbara—and to appropriate this territory forever, since the geographical position of Mexico would have prevented her from sending any assistance overland."

From a Yankee skipper named D'Wolf, who put into Sitka during the winter, Rezánov bought the little sloop "Juno" and the cargo of cloth, cooking and farming utensils, etc., common to small traders. With two young naval officers, Lieutenants Davidov and Khovstov, and the investigating Langsdorff, he set sail in March for California with the immediate double purpose of trading his cargo for breadstuffs and establishing a treaty by which the starving employees of his Company should receive constant cheer. His greater purpose would take time, and he must be

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governed by circumstances. Rezánov, like Cecil Rhodes, was a dreamer; but, although he could foresee a great colonial future for his country under his own management, he had no glimmer of the romantic fate which alone was to keep his name alive.

When he reached the mouth of the Columbia River, although the seas were raging and the wind blew a hurricane, he made three attempts to enter the mouth of the river and plant the necessary plate inscribed with the claim of Russia to the surrounding country; but, as the little sloop nearly foundered each time and his sailors were ill with scurvy, he was forced to abandon the attempt. When he sailed into the Bay of San Francisco, on the 12th of April, the weather was magnificent.

The sight of the "Juno" flying the Russian flag created a mighty commotion in the little settlement, for there was a rumor abroad that Russia was at war with Spain. Apprehensions, however, were soon calmed, and Rezánov's credentials procured him the immediate hospitality of the Californians. The Presidio was surrounded by mud walls, and the low houses were made of the same material whitewashed and tiled; but the Californians were good cooks, and their hospitality was unbounded. The commanding officer was José Argüello, and he had a beautiful daughter.

All travellers of that time, even the dry and crusty Langsdorff, testify to the beauty, animation and charming character of Concepcion—"Concha"—Argüello. Although only sixteen, she had all the precocity of her race and sex, was better educated than most women of New Spain, and had half the caballeros of California sighing at her feet. Langsdorff, who hated his autocratic chief, grudgingly admits that Rezánov fell in love with the magnificent daughter of the Comandante, but hastens to insist that his first object in addressing her was the interest of the Company. It is possible that this was the case, for Rezánov was not the man to succumb lightly to a pair of fine black eyes; his ambitions were colossal, and, if they had not chimed with his passion, it is quite likely that he would have steeled himself. But never had passion and interest been more in unison. He could not overcome the scruples of the Governor and effect a trade which would violate the laws of the country; and, although Arillaga admitted that the treaty would be as advantageous for Spain as for Russia, he would not come to the point. Rezánov wrote to Zapinsky:

"Seeing that my position was not improving, expecting every day

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that some misunderstanding would arise, and having but little confidence in my own people [the sailors], I resolved to change my politeness to a serious tone. I asked her for her hand and she consented. My proposal created consternation in her parents, who had been reared in fanaticism; the difference in religion and the prospective separation from their daughter made it a terrible blow to them. They ran to the missionaries, who did not know what to do. They rushed poor Concepcion to church, confessed her and urged her to refuse me; but her resolution finally overcame them all. The holy fathers appealed to the decision of the Throne and of Rome; and, if I could not accomplish my nuptials, I had at least the preliminary act performed, the marriage contract drawn up and forced them to betroth us."

He wrote later: "From this time on I managed this port of His Catholic Majesty as my interest required. The Governor was very much astonished to see Don José entrust me with the most private affairs of his household, and to find himself all at once, so to speak, my guest."

The Governor gave Rezánov the holdful of breadstuffs he wanted, but would not permit the cargo taken in exchange to be used until permission had arrived from the King of Spain. The preliminaries of the treaty were drawn up and despatched to Madrid by way of Mexico. Rezánov, after six weeks' dalliance in California waters, during which his enthusiasm for the country waxed, set sail for Sitka late in May. He was a month reaching his destination, and it was his intention to sail at once for Okhotsk and proceed overland to St. Petersburg that he might obtain letters from Alexander to the Pope and King of Spain; and, with the necessary consent to his marriage and the royal signatures to the treaty, return to California within two years. But at Sitka he met with an unforeseen delay.

Before leaving he had ordered a small ship to be built, and it was his intention to send Davidov and Khovstov from Okhotsk, the one in command of the "Juno," the other of the new ship "Avos," to wrest the island of Sakalin from Japan, carrying its inhabitants to Sitka, Rezánov having no intention that Japan should pay nothing for the pleasure of insulting the Tsar of all the Russias in the person of his Ambassador. But no work had been done on the "Avos." Rezánov knew that, did he carry out his purpose of leaving Sitka at once, the ship never would be built. Baránhov grudged the workmen, who might be better occupied catching seals; nor did he relish the prospect of trouble with Japan. Rezánov remained, and it was October before he

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reached Okhotsk. He was in the best of spirits, however, for he saw his lieutenants depart on their hazardous mission, and at all the settlements he had touched during his long journey from Sitka he had found his enterprises in a prosperous condition.

But the delay had been fatal. Where does the fault lie that Western America is not Russian to-day, and Rezánov one of the great names of history? With Baránhov for not finishing the "Avos" in time and permitting Rezánov to make the long journey across Siberia before the rains began? Or with Rezánov himself for not deferring Japan's punishment to a more convenient season? When Rezánov arrived in Sitka from California it was with his damaged constitution repaired by the six weeks' sojourn in the Bay of San Francisco, and could he have departed at once and reached St. Petersburg without hindrance there is little doubt that he would have returned to California within two years, married Concha Argüello, gradually drawn the reins of government into his strong adroit hands, and while Spain, with all Europe, was trembling before Napoleon, insinuated a large body of immigrants into the country and finally made himself dictator of a vast Western civilization. It was forty years before the United States was strong enough to take possession of California, and it is possible that the towering ambition of Rezánov would have acknowledged no bounds short of the Rocky Mountains. But it was not to be, whether the fault of Baránhov or merely of destiny. Rezánov was ill again in the dampness and confinement of Sitka, in indifferent health when he left Okhotsk to begin the journey to St. Petersburg—four months in the best of seasons—which must be made almost entirely on horseback. It is too painful a story to dwell upon that long journey, which, after all, ended at Krasnoiarsk: rain and flood, hardships of every sort, illness in miserable towns. But he rose from sick-bed after sick-bed and pushed on until, with but half his journey accomplished, he succumbed at Krasnoiarsk in March. Langsdorff in the following year went out of his way to visit the grave of the autocrat who yet had shown him much kindness; and relates in his book that it was covered with a stone in the shape of an altar as yet uninscribed. Whether he still lies there I have been unable to discover. It is probable, for he died when all Europe was at war with Napoleon, and Krasnoiarsk is a long way from St. Petersburg. For years so little was known of the death of a man who

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died just too soon to command the attention of the world that the report that he had been killed by a fall from his horse passed uncontradicted. Bret Harte, in his charming poem, "Concepcion Argüello," uses this legend, for the sake of picturesqueness, no doubt; for the truth must have been known in California within five years at least of Rezánov's death; certainly after the Russians established themselves at Fort Ross on the northern coast. Concha Argüello waited for him until convinced of his death and then took holy orders; becoming the first nun in California, Mother Superior of the Dominican convent, St. Catherine of Sienna.

Tikménev, in his "Historical Review of the Origin of the Russian-American Company," says of Rezánov:

"The Company lost in him the spirit most active in its organization, and in the development of the colonies under its control. Having acquainted himself on the spot with the requirements of the country, and having made the most earnest efforts to establish relations with adjoining countries, Rezánov could not brook delay on his journey home, where he expected to plead personally the Company's cause before the Imperial Throne. There can be no doubt that his influence, so far as it reached, has been wholly beneficial. We do not know what plans were seething in that active brain, ready to be laid before the Company's directors and the Government on his return to the capital. If Rezánov's life had not ended so prematurely, some of his plans would certainly have been brought to a successful issue at a much earlier period than we can now hope for, while others would not have suffered total neglect at the hands of the authorities. We cannot fail to see that he was no idle dreamer, though his efforts for the public welfare were not much appreciated during his lifetime, being frequently spoken of in a deprecating manner. A few looked upon him as a visionary, capable only of concocting schemes on paper, but, at the same time, hardships, disasters and opposition could not prevent him from following his course and pursuing the object of his life. The honesty and amiability of his character were universally acknowledged, and, though he failed to accomplish much that he proposed, he did more than any of his assailants."

Rezánov's greater schemes have since become more definitely known, and no one that has studied his life and character can doubt that, had he lived ten years longer, what is now the Western section of the United States, as well as British Columbia, would be Russian territory. Perhaps a war would have been the result, perhaps not. The Russians had forty years in which to plant themselves as firmly as the Mexicans, and the British in Canada.

GERTRUDE ATHERTON.

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SEPARATION OF CHURCH AND STATE—A POLICY OR A PRINCIPLE?

BY THE REV. WILLIAM SCHOENFELD, PASTOR OF THE EVANGELICAL LUTHERAN IMMANUEL CHURCH, NEW YORK.

If there is one thing which the spirit of true Americanism proscribes, it is the injection of religious bigotry into matters political; because all bigotry, rightly so-called, is considered a mental and moral defect, and the introduction of religious bigotry into matters political is in direct contravention of that basic American principle that Church and State shall be kept wholly separate. Yet, the true American spirit decries with no less force all moral cowardice, disingenuousness and inconsistency. Freedom of thought and freedom of speech are not to be abused, neither are they to be empty words. There shall be no fear in speaking one's mind and conviction in any matter, least of all in matters political, just so the motive be good and the object be the attainment of truth and justice, and the advancement of the general welfare. With enmity towards none and with charity for all, American citizens are expected to stand up manfully for whatever they believe to be true and right, and to oppose everything which in their judgment is false and wrong. Moreover, since the American Government is a government by the people, as well as of and for the people, it is the duty of every citizen to help to maintain, in the full measure of his ability, right principles with respect to civil government, more especially to uphold those principles which, embodied in the Federal Constitution, all citizens are bound to abide by and defend.

Mindful of these undeniable facts and imbued with that selfsame spirit, a body of men—Lutheran pastors—found themselves constrained, if they would not make themselves guilty of moral cowardice and of a dereliction of patriotic duty, to enter a public

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protest against the charge of bigotry made by President Roosevelt, in his open letter to Mr. J. C. Martin, against all those who should discriminate against a Presidential candidate because of his being a Roman Catholic. This protest, they averred, was made not because of any personal or religious antagonism, but because of their conviction that Roman Catholics, if faithful adherents of their Church, do not and cannot uphold the complete separation of Church and State as a principle, but merely tolerate it by necessity and as a matter of expediency or policy.

Because of this their declaration, they and all who have endorsed their declaration—amongst whom are conferences and members of all the large Protestant church-bodies, and men and societies making no religious profession—are again charged with religious bigotry and with injecting the same into matters political, and this by the foremost representative of the Roman Church and hierarchy in this country, Cardinal Gibbons.

The specific charge preferred against us is that of "religious intolerance," of "advocating the exclusion of loyal American citizens from office on the sole ground of their religious allegiance."

That there may be no suspicion of our twisting aught that we said, and that every one may form his own judgment on the Cardinal's charge and what else he has advanced in his article, "The Church and the Republic," we shall here reproduce *verbatim* our letter to President Roosevelt:

"Hon. Theodore Roosevelt, White House, Washington, D. C.

"SIR,—Convinced of your deep sincerity, and in full agreement with you as to the fundamental principle of the separation of Church and State, as enunciated in your letter to Mr. J. C. Martin, members and pastors of our church and other churches as well, have been amazed to see the indiscriminate and self-contradictory application you make of that principle itself, and this in the stricture made by you on those who might refuse to vote for a Roman Catholic for the highest office in the gift of our people.

"Of course, it is subversive of the basic principle of a real separation of Church and State to permit the religious belief or non-belief of any candidate for public office to determine the casting of one's vote for or against such candidate, except when that very religious belief or non-belief antagonizes this principle of complete separation of Church and State and all those rights and liberties which are included therein and safeguarded thereby. We agree with you, therefore, that those citizens are to be severely criticised who vote against a man merely because he is a Unitarian, a Jew, a Methodist or any other religionist.

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"But are you not aware of the fact that the Roman Catholic Church has again and again, for centuries back and down to modern times, through its official head and other authorities, denounced as wholly wrong and as things to be tolerated only so long as they cannot be changed the complete separation of Church and State, full religious liberty, freedom of conscience, of speech and of the press, and that, moreover, it proclaims its teachings and principles to be unchangeable, and boasts of being '*semper idem*'?

"Lest we be accused of either misapprehension or misrepresentation, permit us to quote some of the pertinent official declarations of the authorities of the Roman Catholic Church.

"Pope Boniface VIII, in his famous bull '*Unam Sanctam*,' declared:

"'In this Church and in its power are two swords—to wit, a spiritual and a temporal, and this we are taught by the words of the Gospel. . . . Both, therefore, the spiritual and the material swords are in the power of the Church, the latter indeed to be used for the Church, the former by the Church, the one by the priest, the other by the hands of kings and soldiers, but by the will and sufferance of the priest. It is fitting, moreover, that one sword should be under the other, and the temporal authority subject to the spiritual power. . . . We, moreover, proclaim, declare and pronounce that it is altogether necessary for salvation for every human being to be subject to the Roman pontiff.'

"Pius IX, in his syllabus of 1864, condemns as an error the proposition that 'the Church must be separated from the State and the State from the Church.'

"Leo XIII in his encyclical, 'On the Christian Constitution of States,' November 1st, 1885, endorses this declaration of Pius IX, and in his encyclical, 'On Human Liberty,' June 20th, 1888, condemns what he terms 'the fatal theory of the right of separation between Church and State.'

"In the same encyclical Leo declares:

"'From what has been said, it follows that it is quite unlawful to demand, to defend or to grant unconditional freedom of thought, of speech, of writing or of worship, as if these were so many rights given by nature to man.'

"Pius IX, in his syllabus of December 8th, 1864, on 'The State' declares that it has not the right of establishing a national Church separate from the Pope nor the right to the entire direction of public schools.

"Have these declarations ever been revoked by the Roman Catholic Church? If so, we have gained no knowledge thereof. All that we have read by Roman Catholic writers was merely an attempt either to justify these declarations or to take the edge off of them in order to meet attacks from those who maintain that the Romanist, if he be a loyal adherent of his Church, its official teachings and principles, is in irreconcilable conflict with the principles set forth in the Constitution of the United States. Even Cardinal Gibbons, in his book, 'The Faith

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of Our Fathers,' makes these significant statements, the best he has to offer in vindication of his Church against the charge that it is opposed to civil and religious liberty:

"'A man enjoys religious liberty when he possesses the free right of worshipping God according to the dictates of a right conscience and of practising the form of religion most in accordance with his duties to God' (49th edition, 1897, page 264).

"'The Church is, indeed, intolerant in this sense that she must never confound truth with error; nor can she ever admit that a man is conscientiously free to reject the truth when its claims are convincingly brought home to the mind. Many Protestants seem to be very much disturbed by some such argument as this: Catholics are very ready now to proclaim freedom of conscience because they are in the minority. When they once succeed in getting the upper hand in numbers and power they will destroy this freedom because their faith teaches them to tolerate no doctrine other than the Catholic. It is, therefore, a matter of absolute necessity for us that they should never be allowed to get this advantage.

"'Now, in all this there is a great mistake, which comes from not knowing the Catholic doctrine in its fulness. I shall not lay it down myself lest it seem to have been gotten up for the occasion. I shall quote the great theologian Becanus, who taught the doctrine of the schools of Catholic theology at the time when the struggle was hottest between Catholicity and Protestantism. He says that religious liberty may be tolerated by a ruler when it would do more harm to the State or to the community to repress it. The ruler may even enter into a contract in order to secure to his subjects this freedom in religious matters, and when once a compact is made it must be observed absolutely in every point, just as every other lawful and honest contract.' (Page 268.)

"What else are these obviously mildest declarations of Romanists but a confirmation of the charge that the Roman Catholic Church does not stand for full and perfect religious liberty, as understood by all Americans and defined in our Federal Constitution, that every man shall be free not only to worship God according to the dictates of a 'right conscience' and to practise a 'religion most in accordance with his duties to God,' but according to his conscience and his conception of his duties to God, right or wrong, so long as he is not thereby led to endanger the equal rights and liberties of his neighbor, or to interfere with the free exercise of the Government's power in the equal protection of all citizens?

"Is there any comment necessary on the Cardinal's quotation from Becanus to show that it in no wise commits the Roman Catholic Church to the principle of religious liberty, but most clearly decries that principle as an evil to be tolerated only by reason of necessity, 'when it would do more harm to the State or to the community to repress it'?

"Are we not, then, compelled to maintain that a loyal Roman Catholic who fully understands the allegiance required of him by the Pope can

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never sincerely subscribe to the Federal Constitution, or, if he does subscribe to it, never can be expected to abide by it, enforce and defend it? Papacy and Vaticanism cannot be separated from the Roman Catholic religion. If any one should entertain an idea that this were possible let him read Cardinal Gibbons's aforequoted book.

"How, then, could we, as firm believers in the principle of complete separation of Church and State, and the liberties based thereon and safeguarded thereby, conscientiously and consistently help to elect to the Presidency a member of the Roman Catholic Church, so long as that Church does not officially, through its Pontiff or Church Council, revoke its *diametrically opposed declarations*?

"Are the 2,000,000 and more Lutherans of this country, not to speak of the millions of other Protestants, who take this position for the reasons stated, to be accused of bigotry or fanaticism because of such their stand, aye, be denounced as being disloyal American citizens? We protest that it is neither personal feeling nor religious antagonism which determines our attitude in this matter, but solely our disagreement with the Roman Catholic Church on this basic political principle, a disagreement growing out of the rejection and denunciation by the Roman Catholic Church of that very principle which you admonish all faithfully to uphold not only in theory, but in practice.

"We do not wish to be understood as though we mean to accuse the bulk of the Roman Catholics of being disloyal American citizens. We sincerely believe a great many do not fully realize the position the hierarchy of their church maintains with reference to the principle in question, especially in view of the outgivings of their teachers in this country, and that if it came to an issue compelling a decision either for the Constitution or the Papal hierarchy they would decide in favor of the former, upholding the Constitution of the United States. Yet, in determining our attitude in this matter, especially when it comes to electing a man to the highest public office, we must be guided by the official teachings of the recognized authorities of the Roman Catholic Church.

"We have considered it to be our duty not to keep silence in this matter because, in our judgment, that would have been an act of cowardice, nor do we wish to do any one an injustice, nor in any manner traduce any man or body of men. If, therefore, in aught we have said we are laboring under error, we shall be pleased to have you enlighten us and with us the millions who occupy the same position, and shall be sincerely grateful to you for such enlightenment. But if we are right in our contention and position, we ask you to show your unquestioned sincerity and courage by an acknowledgment of the correctness of our contention and the attitude based thereon. We are, very respectfully,

"WILLIAM SCHOENFELD,
"MARTIN WALKER,

for the New York Pastoral Conference of the Synodical Conference of the Lutheran Church."

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Now, what are the fundamental contentions made in this letter?

1. That the First Amendment of the Constitution proclaims the complete separation of Church and State as a principle, and not as a mere policy.

2. That the Roman Catholic Church, speaking through its recognized authoritative head and teacher, has persistently denounced that principle, and declared separation of Church and State to be a condition that is to be tolerated only so long as necessity and expediency required.

3. That a loyal Roman Catholic can, therefore, never be an upholder and defender of separation of Church and State as a principle, but that he can merely acquiesce in it as a matter of policy; and that, for this reason, it would be inconsistent and self-contradictory if loyal American citizens, subscribing without reservation to the principle of separation of Church and State, were to help elect a man to that office which, above every other, is entrusted with the duty of upholding and defending what President Roosevelt styled "one of the foundations of American life."

Let us first ask whether in this there is any religious bigotry? No intelligent and serious person will contend that the Cardinal stated the case adequately when he charged us with "advocating the exclusion of loyal American citizens from office on the sole ground of their religious allegiance." If the religious allegiance of Roman Catholics did not preclude full loyalty to the American Constitution, did not place them in conflict with the constitutional principle of separation of Church and State, then and then only would the charge of the Cardinal be in harmony with the facts, a correct and adequate statement. What we charge is just this: that, if a Roman Catholic is fully informed as to the teaching of his Church, then loyal allegiance to his Church makes it impossible for him to be a loyal upholder and defender of this principle. But here the Cardinal quotes against us this proviso of the Constitution: "No religious test shall ever be required as a qualification to any office or public trust under the United States." Do we (or did we) require any religious test as a qualification for any office or public trust? Or does this article of the Constitution say that there shall be no debarment from public office, even though a man's religious allegiance places him in conflict with the very principles set forth in the Con-

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stitution? Are we to understand this article to supersede the First Amendment, or must not rather this article be interpreted in the light of the requirement of the First Amendment? Does not this very article (VI, 3), indeed, prescribe that "the Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution"? Emphasizing as Christians and granting as American citizens a man's right and duty to owe supreme obedience to God and to follow the dictates of his conscience, would it not, nevertheless, be suicidal if we were to ignore the fact of a political candidate's religious allegiance putting him in conflict with the Constitution?

If such is the case, then we maintain that it matters not whether it be a man's religion or something else that puts him at variance with the principles enunciated in the Constitution; as loyal American citizens, we shall have to withhold our suffrages from such a man, not because of his religious belief as such, but because of his antagonism to the principles of the Constitution.

The question at issue, therefore, resolves itself into this: Is it a principle of the Federal Constitution, "one of the foundations of American life," that Church and State shall be wholly separate? And is it true that no loyal Roman Catholic as such and so long as he remains such—or until the teaching of his Church with respect to this question is authoritatively changed—can subscribe to this principle?

There are those who declare all government and civil law to be a matter of compromise. To this, we feel safe in saying, the American people do not subscribe. It is, indeed, true that, in the making and enforcement of laws, civil government must always deal with conditions as they confront it, and that because of such conditions both the laws themselves and the enforcement of them will always fall short of the ideal; but it is equally true that there are fundamental governmental principles which must be acknowledged and maintained as such, even though in their practical application there may happen deviations and infractions. Such a fundamental governmental principle the American people insist to be the complete separation of Church and State. To argue that it was only by a compromise that principle came to be accepted and embodied in the Constitution by the framers

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of that priceless document, is beside the question. No matter how this principle came to be accepted, it has ever since been held and defended to be the right principle of government. Just so, it is beside the question to tell us that in all Protestant countries the State has subjugated and enslaved the Church. We are Americans; many of us or our forefathers fled to this country to escape the tyranny of the State-Church, the State violating the freedom of conscience and of religion. Cæsaropapism, we emphatically declare, is in principle just as bad as Papocæsarism, and is to be condemned equally, whether the Lutheran or the Roman Catholic or any other Church be established as the State-Church. We are not dealing with the past and with other countries; we are dealing with the present and with our own country. Yet, since the Cardinal has referred specifically to Henry VIII of England, it may not be improper to ask, whether he who was honored with the title "Defender of the Faith" for his coarse book against Luther can, with any show of right, be declared a product of Protestantism, or whether he must not rather be considered a product of Romanism? Nor is it Luther who is to be blamed for the existence of a State-Church in Germany or in other Lutheran countries. Whoever will take the trouble of looking up Luther's writings on the subject of Church and State will find that he deplored the unfitness of the people who came out from Rome for ecclesiastical self-government, and that he called the temporal rulers "*Notbischöfe*"—"exigency-bishops." It is a law of physics that the pendulum which has swung to one extreme must on its return swing to the other extreme. Similarly, it is a law of psychology that when a reaction sets in—especially one that moves the deepest depths of the human soul, and is unhappily accompanied by ignorance, on the part of many who are factors in the movement, of the right and fundamental truths and principles involved in it—the true balance of soul cannot be gained at once nor the right line of division be at one recognized, or, when recognized, yet not held fast. Nevertheless, we deplore the fact that union of Church and State still continues in Germany and other Protestant countries, and we glory in this country of ours, because here the only right principle of complete separation of Church and State has been incorporated into the supreme law of the land. Nor are we in this controversy actuated by any other desire than that this

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principle shall be acknowledged and maintained by all American citizens as a principle, the only true and right principle.

This is the difference between the Cardinal and his Church, on the one hand, and ourselves, on the other: he and his Church accept separation of Church and State merely as a temporary policy, a matter of expediency; we proclaim it to be the only true and right principle, a fundamental principle also of the American Constitution which must be accepted as immutable by all loyal and true American citizens. The Cardinal defines the doctrine of the Roman Catholic Church on this subject to be this: "In a country wholly or predominantly Catholic, the most desirable relation is the friendly union and co-operation of Church and State, neither power sacrificing its liberty and each acknowledging the other. That this is the ideal relation, provided liberty be assured to those not of the established church, no sensible man can deny." We do deny it, and we declare that the only right, and therefore the only desirable, relation is always complete separation of Church and State; and contend that only so can the inherent and equal rights, pre-eminently real and equal religious liberty, be secured to all citizens and Churches. And over against the Cardinal's request to show him a free nation that believes in one religion and has no union of religion with the State, we shall ask him to show us any nation which had union of religion with the State where the civil government did not fall under Papocæsarism or the Church under Cæsaropapism.

The Cardinal's words are satisfactorily, not to say surprisingly, plain. And eloquent is his silence. Never once does he enter upon the quotations adduced in our letter; never once does he deny their correctness nor the correctness of the contention that the authoritative teachers of the Roman Catholic Church, the Popes, have ever denounced as false the principle of complete separation of Church and State. He tells us, indeed, that the distinction between the civil and ecclesiastical powers is very firmly established in Catholic teaching; but never once does he say aught to the same effect with regard to separation. He quotes Leo XIII to prove what he says with regard to distinction between the civil and ecclesiastical powers, but he does not quote the words found in that same encyclical, "*Immortale Dei*," and in that same connection: "Hence it is necessary that between these two powers there should be an established connection which may very

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properly be compared with the union whereby the soul and the body are united in one man." In the same encyclical, we read: "In like manner, it is not permitted to follow one form of duty in private and another in public, so that the authority of the Church were observed in private and rejected in public life." In his encyclical "*Libertas,*" Leo XIII says: "Liberty of worship —based on the principle that every man is free to profess as he may choose any religion or none—is no liberty, but its degradation, and the abject submission of the soul to sin." The final conclusion drawn from this dogmatic declaration is: "This religion [Roman Catholic], therefore, the rulers of the State must preserve and protect." Finally, a very pertinent passage from the same encyclical is this: "If, however, because of peculiar political circumstances, it is, for the time being, expedient that the Church should acquiesce in certain modern liberties, not because she herself approved of them, but because she deems it expedient that they may be permitted, she would, of course, if the times have changed for the better, make use of her freedom, and, by advice, exhortation and obsecration, strive, as it behooves her, to perform the duty assigned to her by God, to care for the eternal salvation of men. This, however, is at all times true, that the freedom of all things promiscuously granted to all is, as we have often said, not in itself desirable, because it is repugnant to reason that what is false and what is true should be of equal right."

We leave it to the reader and to the American public in general, the last and highest tribunal in our country, whether the Cardinal has proved his charge against us. We leave it to the same judge, whether we have substantiated our contention, or whether it really is religious bigotry, and on purely political and constitutional grounds unjustifiable, that we should refuse to vote for a Roman Catholic candidate for the Presidency or, for that matter, for any office upon which depends the maintenance and enforcement of the Constitution. Is separation of Church and State with us a principle or only a matter of policy and expediency, and can we, therefore, consistently profess to uphold the Constitution and yet vote for men who, if loyal to the teachings of their Church, as we must believe them to be, can accept the complete separation of Church and State only as a matter of policy? This is the question at issue.

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If, according to the words of Vicar-General Preston, in a sermon preached in New York, on January 9th, 1888, "the man who says I will take my faith from Peter, but I will not take my politics from Peter, is not a true Catholic," the Roman Catholic is bound to declare against separation of Church and State as a true and immutable principle, our conscience is bound to maintain that principle and do all that is necessary to that end. If this is bigotry, bigots we are; but we are confident that the verdict of the American people is and must be: "That is only pure American loyalty."

The Cardinal warns us against "tampering with that delicate machinery by which religious liberty and equality are secured," and against the "fostering of any spirit which would tend to destroy that machinery." Is there any danger of our doing such a thing, when we declare that we mean to uphold absolutely and faithfully the complete separation of Church and State, laid down as a fundamental principle in the First Amendment? Then must that instrument be denounced as a fomenter of strife, a standing menace to religious liberty and equality.

To disabuse the minds of our Roman Catholic fellow citizens of the erroneous idea that we mean to discriminate against them only because of their religion, it may be well to remind them that when, years ago in Illinois and Wisconsin, laws were passed to crush out the parochial schools, to deprive parents of their natural, inherent right to send their children to the school of their choice, in which they might receive not only the necessary secular, but also the desired religious, education, the Lutherans fought those laws with all their power, contending that those laws were an infringement by the State of that religious liberty which is guaranteed by the supreme law of the land to every American citizen. In passing, to avoid any misunderstanding of our position on the subject of schools, it may be well to say that we concede to the State the right to insist that every school give its pupils such an education as will fit them for a proper and faithful exercise of American citizenship. But we cannot agree that the State should support, or be permitted to support, by public taxes or otherwise any religious school. Whilst it is a matter of religious liberty that parents should be free to create and maintain religious schools for their children, it would be a commingling of Church and State if the State were in any

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way or measure to support such schools. Church and State are not only to be distinct, they are also to be kept separate. As we have fought against the State when, overstepping its proper sphere of authority, it attempted an infringement of religious liberty and the independence of the Church, and this despite the fact that we were assured that no endeavor would be made to put our schools out of existence but only the Roman Catholic, so have we consistently opposed all religious legislation, legislation whereby it was sought to make the State the tool of the Church for the enactment of laws in conflict with a right and complete separation of Church and State, and this when church-bodies or societies other than Roman Catholics were the power behind the movement.

If, in the face of these facts and averments, the charge is still persisted in that we and those who joined us in our protest are swayed in this matter by religious bigotry, shall not then every impartial judge be compelled to see therein merely an endeavor to evade the real issue?

Far be it from us to conjure up any religious or political war! But we were knaves did we permit ourselves to be deterred by having held up to us even the grim and gruesome spectre of war from freely and openly discussing a constitutional principle, such as this, and from obeying our conscience. There is, beyond a doubt, on this subject a clash of conscience between Roman Catholics and those American citizens who hold complete separation of Church and State to be a constitutional principle, unless, indeed, we are to believe that the clear and emphatic pronouncements of the Popes, and pre-eminently of Pius IX and Leo XIII, upon this subject are not the true and binding teaching of the Roman Catholic Church, binding upon every loyal son and daughter of that Church. That clash should be removed, so that we may have "union and liberty, now and forever, one and inseparable," and a liberty full and perfect not for one Church and body of citizens only, and for the others mere toleration, but equal and full liberty, religious and civil, for all Churches and for all citizens. "United we stand, divided we fall." Union and liberty will not be secured safely and for all ages, unless we come to full agreement with regard to the principles which form the very foundation of our government, upon which rest and by which are safeguarded those rights and

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liberties—the most precious treasures of our American citizenship—which are guaranteed to us in and by the Magna Charta of the American people, the Federal Constitution.

And why wait till there is real or immediate danger of political and worse strife? Why not earnestly endeavor to remove the possible cause of any future conflict at once, now that the difference has been found to exist. Why, indeed, should we, despite the Cardinal's protest that the Roman Catholics "are conscious of no barrier separating them more than any other element of the population into a class apart," continue to hear the demand that they receive recognition in the distribution of political offices and preferments in proportion to their number? What other Church or non-political body makes such a demand? Remove this difference, a political difference, at least for the American citizen as such, be he Roman Catholic, Protestant, or Jew, or of any other religion or of no religion, so that in matters of citizenship we need not know each other as of this, that or any particular religion, then will we really and truly be one people, one civic brotherhood.

How shall that difference be removed? By the application of any kind of force? God forbid! But by a dispassionate, sincere and intelligent examination and discussion of the question at issue: Is complete separation of Church and State according to our Federal Constitution and of right to be accepted only as a policy, or must it be accepted as a principle?

WILLIAM SCHOENFELD.

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THE DECLINE IN THE BIRTH RATE.

BY FREDERICK L. HOFFMAN.

It is time for the nation to realize the pressing need of a qualified and thorough investigation of the whole question of population and natural increase, with special reference to the physical condition and reproductive power of the native-born of native stock. While there has been some academic discussion of this problem, there has been no authoritative expression of opinion, and there exists no extensive collection of facts which would warrant a final conclusion as to present-day tendencies and ultimate results. The decennial Census reports, it is true, contain a very considerable amount of useful information; but the all-important question of the natural rate of increase among the different elements of native or foreign extraction has been practically ignored. While the opinion is almost universal that the native-born of native stock are not reproducing themselves at anything like the rate prevailing in the times of their forefathers or as now prevailing among the foreign-born, there remains a serious doubt as to whether such conclusions, resting upon fragmentary data, are properly applicable to the nation as a whole.

In brief, the American white population, according to the last Census, consists, in round figures, of forty-one million native-born of native parents, five million of mixed parentage and twenty-one million of foreign parentage. Since 1900, however, more than five million immigrants have arrived, mostly from Southern Europe. The problem which confronts the nation is the question of the rate of *natural* increase, or, in other words, the normal excess of births over deaths, in each of these elements, and the physical, moral and mental resultant of intermarriage of like or unlike ethnic elements. It is a question which demands an answer, and for which the responsibility rests with the nation;

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and it lies within the power of the Federal Government alone to ascertain the facts.

It is only since 1890 that the Census reports have contained information as to the conjugal condition of the population. The Census Office has never published the exact data of the constituent parts of the American family, or, in other words, the number of children to a mother according to duration of marriage, and the proportion of married women without issue. Such information is obtainable for most of the other civilized countries; but, while the facts have been collected by the Census, at least since 1890, the data have not been published and the truth remains unknown.

It is not necessary to emphasize further the importance of the data required for an authoritative expression of opinion upon the problem stated. This much, however, may be said without an undue enlargement of the statistical side of the question, that by the last Census the number of married women of native white parents was 7,262,000 against 2,215,000 native-born of foreign parents, and 2,860,000 of foreign birth. In other words, against a little over seven million native white married women there are about five million either wholly or in part of foreign extraction. It requires no extended knowledge of the laws of human increase to make it clear that, if the rate of reproduction is materially higher among the foreign element than among the native, under the conditions pointed out, it is only a question of a comparatively short period of time when the actual *natural* increase of the foreign element will be considerably in excess of the actual number of births of native mothers of native stock. When, in addition, it can be shown that the proportion of married women of child-bearing ages is less among the native-born of native stock than among the foreign element the seriousness of the problem is further emphasized.

If, for illustration, we take the age period 25-29, we find that among the native white population of native stock 71.8 per cent. of the women are married, against 72.6 per cent. of the foreign; but the proportion of native married women at this age period has decreased since 1890, while for the foreign-born the proportion remained the same. At ages 30-34 the proportion of married women was 79.7 per cent. for the native, against 83.1 per cent. for the foreign. And here again, while the proportion

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among the natives has decreased since 1890, the proportion for the foreign has remained the same. These differences may appear slight, but they are extremely significant, and more so when considered in connection with the decidedly higher birth rate among the elements of undesirable foreign extraction. For the present purpose, it is sufficient to use a birth rate based upon the number of women of ages 15-44, and, for my illustration, the data for Massachusetts for the five years ending with 1905. The data prove that there were 63 births per 1,000 women at this age period among the native, against 143 among the foreign. If these rates are contrasted with the five years following the close of the Civil War, it appears that the native birth rate at that time was 71 per 1,000, against 146 for the foreign-born. In other words, there has been a very decided decrease in the birth rate of native women in the State which prides itself most upon the question of pure ancestry, while there has been a comparatively stationary condition in this respect among the foreign element in the same State.

The available statistics for Rhode Island and New Hampshire indicate almost identical conditions and tendencies. The recently published returns of the State Census of Rhode Island for 1905 are, in fact, of a most startling character, challenging the attention of the nation. According to this official investigation, of the native-born women 15 to 45 years of age, 71.6 per cent. were married, compared with 82.5 per cent. for the foreign-born. Among the native-born women of this age period, 28.4 per cent. were childless, against 17.5 per cent for the foreign-born. The average number of children to a native-born married woman was 2.06, against 3.35 for the foreign-born. In 1885, according to the census for the same State, the average number of children to a native-born married woman was 3.49, against 2.06 for 1905; while during the same period, among the foreign-born women, the average number of children declined from 5.38 in 1885 to 3.35 in 1905. Among the native-born married women, ages 15 to 45, the proportion having only one child was 23.4 per cent. of the total, against 16.4 per cent. for the foreign-born. The proportion having over three children was only 19.8 per cent. for the native-born married women, against 38.7 per cent. for the foreign-born. At age 25 the proportion of childless native-born married women was 39.0 per cent., against

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25.6 per cent. for the foreign-born. At age 30 the proportion of childless native married women was 29.1 per cent., against 15.9 per cent. for the foreign-born. It requires no additional statistical evidence to prove the seriousness of a problem which strikes at the root of American life and character.*

There are no corresponding statistical data for other American States useful for the present purpose, but as a general proposition it will hold true that the absolute and relative fecundity of the native-born element is less throughout the country than that of the foreign-born. There are differences, of course, in the degree of fecundity, and fortunately the native birth rate is still comparatively normal in the Southern and Western States; but there can be no doubt that throughout the country the foreign element is reproducing itself much more rapidly than the native, with probably four generations to a century, against less than three among the natives. If, however, for the sake of argument, we assume that the difference in the birth rate is the same, then *the actual deficiency in the annual number of births of native-born women of native stock will approximately amount to more than one and a quarter million.* In other words, the actual deficiency in the numerical increase of the native population is about the same as the present annual influx of foreigners, mostly from the Southern States of Europe. The late Francis A. Walker was one of the few who realized the significance of a declining birth rate in its bearing upon the problem of over-immigration, and he very ably pointed out that the gain by immigration had resulted in a replacement of native by foreign elements, and that if there had been no foreign immigration within the last half-century we would to-day have about the same population, or more, consisting wholly, or largely, of native-born of native stock.

There is a vast amount of misleading argument respecting race assimilation in this country. In fact, there has never been much assimilation, and it is not likely that there ever will be. Most of all will this prove true in the future in view of the vast immigration of totally unlike types during the last decade. The

* The startling results of the Rhode Island census are fully confirmed by an original investigation into the facts of American ancestry derived from published genealogies of American families, according to which the average number of children has diminished from nearly seven during the first half of the eighteenth century, to nearly five during the first half of the nineteenth century, and to less than three during the last half of the nineteenth century.

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analysis of the Census upon this point is incomplete and, to a certain extent, misleading. Neither in this country nor in Europe is one well-defined racial type assimilating another. Neither are the Norwegians assimilated by the Swedes, nor the Portuguese by the Spaniards, nor the Dutch by the Germans, regardless of the fact that they have lived side by side for centuries. In Switzerland the French, German and Italian elements remain racially distinct, and the same is true of the Mexicans in Texas and of the French Canadians in Canada. The small amount of actual intermarriage has no appreciable effect in the development of new racial types in the United States. The acquisition of the English language, a fair degree of conformity to manners and usages, a reasonable compliance with law and custom, do not at all imply or constitute racial and political assimilation.

The earlier population estimates of a century in advance by Wigglesworth, Darby and others, for the year 1900, exceed the actual population as returned by the Census, regardless of the enormous immigration in the mean time. These estimates were based upon the assumption that the then prevailing rate of reproduction among the native element would continue. The difference is readily accounted for in the material diminution in the rate of increase among the native-born of native stock. That such a decline has taken place is not denied by any one familiar with the facts. That the reduction in the birth rate has been due to a decline in reproductive power is extremely doubtful. There remains, then, only one other explanation, and that is the truly momentous conclusion that the decline in the birth rate of native-born of native stock is deliberate, or the result of preventive checks, all more or less immoral or unnatural, as the case may be. It would be impossible to frame a more terrible indictment of what we generally speak of as the best element, but it is time the truth were told and realized before it is too late.

That the low birth rate among American women is deliberate and not the result of a decline in reproductive power every experienced physician will readily admit; and of the truth of the statement every intelligent person is well aware. While it is true that a decline in the birth rate is more or less general throughout the world, at least among the educated and prosperous elements of the population, the fact of a vice being general is no excuse for its being condoned. That the decline is the result of

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a gradual spread of immoral doctrines, resting upon the theory of self-indulgence of the leisure class, can easily be confirmed by a study of the periodical literature of the last thirty years. Some years ago in this REVIEW Ida Husted Harper, a strenuous advocate of Woman's Rights, came out plainly and emphatically in a statement to the effect that "intelligent people have learned that it is easily possible to regulate the size of the family without injury to health or morals, and they *will* regulate it. The knowledge has proven the greatest of blessings to women." And this monstrous advice of a deliberate crime stands unchallenged and without protest as a sorry reflection upon American manners and morals at the beginning of the twentieth century. The article attracted the attention of a "Yale graduate of 1869," who, in a letter to the New York "Evening Post," indulged in the hope that some philanthropist would hand him a hundred thousand dollars to be used for the printing and distribution of these views to every pair of people whose marriage was announced in American newspapers. He concluded, therefore, that, "It is only the shiftless, the improvident and the dissolute who will point with pride to the President of the United States as a guide, philosopher and friend, who justifies them in adding to the vast number of people who ought never to have been born." Language like this from a Yale graduate must make one question the mental and moral value of university instruction. Who ought never to have been born? Simply because a child is the sixth, or seventh, or eighth, or ninth, should it never have been born? What evidence had the "Yale graduate of 1869" to prove that first-born children, or only children, represent the highest and most useful type? What evidence had he to prove that mothers of only children, or married women with no children, are morally and physically superior to those who conform to the laws of a moral society, the laws of nature and the laws of God? If this gospel of selfishness and immorality had been preached and generally followed by past generations many of our foremost leaders of thought and action would never have seen the light of day. Ought never to have been born! No doubt this might have been said at the outset, with at least some pretence to morals, in the case of the Russian woman who had already given birth to sixteen children and was anticipating the birth of the seventeenth. But who would have said this in later years, when Dmitri Ivanovitch

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Mendeleeff, born February 7th, 1834, at Tobolsk, in Siberia—no doubt, under social and economic conditions more or less unfavorable—became one of the foremost minds in chemistry? His works have been translated in repeated editions in the English and German languages for the instruction of the world, and his "periodic law" will endure in chemistry as certainly as the law of gravitation in physical science.

The duty of maternity may impose heavy burdens and responsibilities, but it is one which no normally married woman can shirk, save at the risk of bodily and moral ruin. Audubon, the naturalist, was the twenty-first child, and Daniel Webster was the seventh, and so frail at birth that his life was despaired of. The mother of Benjamin Franklin was the ninth child, born under conditions of adversity on the island of Nantucket—fortunately the women of that period were of a different type and lived their lives in a natural manner, being compensated with more true happiness and self-realization than the childless women of to-day in the midst of plenty.

According to an extremely suggestive and original investigation by Dr. Louise G. Rabinovitch, of New York, into the "Genesis of Genius," as quoted in the "Medical Record," comparatively few men of genius have been the first-born of their parents; in fact:

"Not only were these men of genius not the first-born, in a very large number of cases they were the youngest or next to the youngest of the family. Thus Coleridge was the last of thirteen children, James Fenimore Cooper was the eleventh of twelve children, Washington Irving was the last of eleven, Balzac the last of three, George Eliot the last of four, Napoleon was the eighth, and probably the last; Daniel Webster the last of seven, Benjamin Franklin was the last of seventeen, and the last born of the last born for several generations; Rembrandt was the last of six children, Rubens the last of seven, Sir Edwin Landseer the fifth of seven children; Joshua Reynolds was the seventh child of his parents, Carl Maria Weber the ninth, Richard Wagner the last of seven, Mozart the last of seven, Schumann the last of five, Schubert the thirteenth of fourteen."

What a miserable philosophy of living and dying there is embodied in the shameless suggestion of immoral doctrines by those who by education and social status should be immeasurably the moral superiors of those who live in the slums.

There is no moral justification whatever for a deliberate limitation of the family, nor is there anything in the argument of the neo-malthusian drawn from economics. The very fact of a con-

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stant and large immigration contradicts every argument in favor of a limitation of the family of the native-born of native stock. It is not, however, among the very poor, who might possibly be justified in limiting the family, that such doctrines hold sway. It is among the prosperous and the rich that we find the "no-child" or "one-child" theory defended, even by young wives of supposed innocence, with every prospect of material well-being and abundant resources for the more than necessary maintenance of a normal family. Only children, or only boys and girls, seldom represent a superior and successful type. There are, of course, exceptions to this rule, but the evidence upon this point is conclusively summed up by E. W. Bohannon, who holds that:

"These only children are unmistakably below the average in health and vitality. Mental and physical defects of a grave character are much more common among them than among children generally. Their success in school work is below the average. A large number of them do not have as good command of themselves socially as does the average child. Their social relations are, therefore, more frequently characterized by friction. Selfishness is the most frequently named of the worst traits, while affection is most often named among the best traits. As a rule, the home treatment had been that of unthinking indulgence, which generally develops in a child the habit of expecting concessions on all sides, and corresponding unwillingness on his own part to make them to others. A right appreciation of the conditions with which the child must be concerned outside the family life requires that he be given ample opportunity for companionship with children of corresponding ages."

To this I may add the observation of a French writer, Arsene Dumont, who has said that "the life of an only child is an uninterrupted lesson in egoism lasting twenty years. Honor and country ask for sacrifices, and the 'only' child is less courageous. The more numerous the family, the more respectful the children are to the parents. Men from large families have greater social worth." Nor is the effect of the childless marriage, or of the deliberate limitation of the family, without most serious consequences upon the parents themselves. The evidence furnished upon this point, which is largely medical, is so conclusive that it may be stated as an axiom that the consequences upon the parents will, in most cases, in the course of years be disastrous. Married women live longer than the unmarried, and married women with children live longer and healthier lives than those who are without issue.

I need not discuss at length the argument that the mission of

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educated women is not one of domestic drudgery and child-bearing, but for other ends and purposes. As it has been very beautifully said by Augustine, "As the soul is made for God and is not happy until it finds rest in Him, so woman's body and soul are made for maternity and she can never find true repose for either without it," and as said by Stanley Hall, "All ripe, healthy and womanly women desire this, and if they attain it through self-knowledge confess it to themselves, however loath they may be to do so to others, and some who attain it too late wear their lives out in regret." If the fecundity of native women as a class is very considerably below that of the women of foreign birth, the condition is still more deplorable among educated women, and in particular among those who are graduates of higher institutions of learning. Among others, for illustration, of Vassar graduates during the ten years ending with 1896 only 28 per cent. were married by 1903, with an average number of children of 1.6 per mother, while a considerable number were without issue. The results of other colleges are practically the same, and in all cases the percentage of married women is less, the age at marriage is more advanced, the number of children is small and large families are the rare exception. According to Dewey, quoted by Stanley Hall, 37 per cent. of married college graduates had no children, although the average number of years of married life was over six. Hall concludes that "from the knowledge at hand, it is plain that our race would be speedily extinct if it depended upon the rate of replenishment of the educated classes."

A thoroughly scientific investigation into the decline of the birth rate was made in New South Wales a few years ago, and a most valuable report was presented. The evidence itself was of such a scandalous and shocking nature that the Commonwealth has not dared to print it. There is no reason to suppose that the conditions in this country are in any way much better, if they are not decidedly worse. In explaining the immediate causes of the decline of the birth rate, the Commission sums up its conclusion as follows:

"There is a remarkable unanimity of opinion among the medical men, who are perhaps better able to judge than any other persons in a community, that deliberate interference with the function of procreation has during recent years been extremely common. We learn also from their evidence that the means used to effect the end desired are both

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deleterious to general health in numerous instances, and frequently bring about such temporary and even permanent disability of the reproductive organs of women as creates forms of pathological sterility. They also tell us of the great and growing frequency of the occurrences of induced miscarriages and of the terrible destruction of reproductive capacity and wreckage of health and life which ensue."

The Commission, therefore, emphatically gave its endorsement to the view that the decline in the birth rate was the result of deliberate prevention or destruction of embryonic life, and they held that, to the contrary, there was no evidence of an actual increase in the physiological sterility among the women of New South Wales. They further held that the decline in the birth rate could not, in their opinion, be traced to any well-defined economic cause, but that, to the contrary, the practice prevailed among all classes, *except the very poor*. As to the moral and physiological consequences of preventive checks upon the population, they quote a high medical and surgical authority to the effect that, "Can any one, accustomed to treating the diseases of women, say in truth the statement is exaggerated that we can see on any one day more sorrow and misery resulting from the abuse of the married state than would be found in a month from uncomplicated child-bearing?"

The Commission concluded that:

"The mental condition of any population, moreover, in which the avoidance of parentage is condoned, and even advocated, we regard as one which tells its own tale of social and moral deterioration. Such practices as are necessarily resorted to as alternatives for that restraint of natural impulse, which is alone justifiable for this end, we agree with the reverend witnesses whose evidence we have quoted, violate the sanctity of marriage and tend to convert the marriage contract into a sexual compact. We consider that they lower the standard of right living and right thinking in the community, create laxity of morals, debase character and ignore the sanctity of human life."

And further that:

"The decay of family life is another feature involved in the disappearance of that sense of responsibility by which alone the recruiting of posterity can be maintained. The benefits of large families to the members of those families and to the nation composed of them cannot be overestimated. It is recognized that members of large families educate one another; that 'only' children and members of small families are less well equipped for the struggle of life; that they do not grow up to be morally, intellectually or physically superior to members of large families, while their social efficiency is impaired by selfishness."

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It hardly seems necessary to add anything to this summary of scientific opinion courageously expressed and abundantly sustained by indisputable facts. Even more recently, however, another scientific investigation into this subject has been made by David Herron, M.A., "On the Relation of Fertility in Man to Social Status, and on the Changes in this Relation which Have Taken Place During the Last Fifty Years." Mr. Herron concludes that:

"As far as the present investigation goes, it demonstrates, I think conclusively, that for the London districts there is a very close relationship between undesirable social status and a high birth rate. In districts where there is overcrowding, where there is a superabundance of the lowest type of labor, where it is needful to employ many young children in order to earn daily bread for the family, where infantile mortality is greatest, there the wives of productive ages have most children. *Where there is more culture and education as shown by a higher proportion of professional men, where there is more leisure and comfort as shown by a higher percentage of domestic servants, where the traders who appeal to the improvident and thriftless are fewer in number, there the birth rate is least.** Again, where there is more general pauperism, where signs of bad environment like phthisis are prevalent, where pauper lunatics are most plentiful, there the birth rate is highest. . . . Nor is the higher birth rate of the undesirable elements compensated by the higher death rate. The net fertility of the lower status remains higher than that of the superior status. . . . The relationship between inferior status and high birth rate has practically doubled during the last fifty years, and it is clear that in London at least *the reduction in the size of families has begun at the wrong end of the social scale and is increasing in the wrong way.* I have brought forward evidence enough to show that the birth rate of the abler and more capable stocks is decreasing relatively to the mentally and physically feebler stocks."

The subject with special reference to the United States has also been investigated by Dr. Arthur Newsholme, a leading authority on vital statistics, who, in an address before the Royal Statistical Society on the Decline of Human Fertility, remarks that: "It is evident, then, that taking into consideration the probable understatement of the facts (due to imperfect registration,) the condition of voluntary prevention of child-bearing in the native population of Rhode Island and Boston has gone far beyond that reached by Paris."

There can be no question of doubt that children born of cul-

* The italics are mine.

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tured ancestry have a decided advantage over those born of the less developed types. If it takes six or eight generations to fix character in a thoroughbred horse or dog, it is nothing short of a social crime to extinguish human traits and characteristics which have been acquired by ages of struggle and endeavor. Nesbit makes the startling assertion that "men derive their characteristics from an ancestry spread out fanlike over some three hundred years and numbering perhaps two thousand inhabitants." If this is true the best traits and characteristics of the American people, transmitted as the result of more than two hundred and fifty years of an active struggle for the realization of high moral and political ideas, are in a fair way of becoming extinct in consequence of a declining birth rate. As Stanley Hall has well said, "Each generation ought to add a little, infinitesimal though it be, to progress in that most ancient form of wealth and worth which work bestows." And upon this ground a deliberate interference with normal fecundity deserves unqualified condemnation by all who have the best interest of the nation at heart.

It is not that this subject is new, or that it has not been brought to public attention from time to time. Again and again the voice of warning has been raised, and even more than forty years ago Dr. Nathan Allen, of Lowell, Massachusetts, compared the decline in the birth rate with the deterioration of the once powerful and highly cultured races of antiquity. Engelman, as the result of his analysis of New England genealogies, shows that while in 1800 the average number of children was 6.1, it had decreased to 4.6 by 1830, to 3.3 by 1860, to 2.5 by 1872, and for the upper classes of Boston to 1.8 by 1900. Allen quotes from the works of Professor J. R. Seeley, the author of "Ecce Homo," in explanation of the decline of Rome, that "some principle of decay must clearly have been at work," and he answers, "It was a period of sterility, or barrenness, among human beings; the human harvest was bad." And in the declining days of Greece marriages were rare and unfruitful through the prevailing indifference or aversion to marriage and an unwillingness to raise up children arising from an extravangtly high standard of comfort. Allen calls attention to another class of facts connected with the history of Greece and Rome, which has its parallel, in some respects, in our own history. "Both these nations were more or less filled up with the transfer of immigration of peoples

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from other countries" and "this foreign or barbarian element was much more prolific than were the native inhabitants of these two nations, nor was there a mixing up, or intermarriage, to much extent between the two classes. As a natural consequence, the purely native stock declined relatively in numbers, fading gradually away; and not only were they finally outnumbered, but they were overpowered both in war and in every department of government, as well as of society."

The foregoing extracts, to which much more of a similar nature could be added, warrant the suggestion made at the outset that it is time for the nation to realize the pressing need of a qualified and thorough investigation of this momentous question affecting our national progress and future position. In England an extended and able investigation has been made into this subject by a Special Committee on National Deterioration, and an investigation along similar lines is required for the United States. As Mr. Herron has pointed out, the facts disclosed by his researches indicate distinct sources of national deterioration, "which the statesman and social reformer must be prepared to consider and consider well." This is not a subject upon which any one should write or reason lightly, for it is one which goes into the very heart of the whole question of national well-being and national welfare. As the Royal Commission of New South Wales very properly say in their admirable presentation of the facts, "Patriotism dictates that the people of to-day should consider what these facts mean to the future. It is the duty of the present generation of Australians to see to it that their patriotism is not impugned in time to come; and that the loss of this fair heritage of the British race, which, under existing conditions the philosophy of history foretells, is not made attributable to them by those who may, in the days to come, have to sacrifice their blood and treasure in the vain hope of defending it." What is true of Australia is even more true of these United States, but the duty is even greater in view of the larger interest at stake.

FREDERICK L. HOFFMAN.

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CANADA AND THE PAYNE BILL.

BY EDWARD PORRITT.

In general, the Payne Bill is less hostile to Canada than almost any tariff enacted at Washington since the reciprocity treaty was abrogated by the United States in 1866. Contrary to expectation in Canada, it concedes the right of the Dominion to make tariff concessions to Great Britain or to any British colony without subjecting Canada to the heavy penalties of the maximum rates. It also offers reciprocity in coal, which is an obvious advantage for the wide stretch of the Dominion that lies between the Province of Quebec and the Pacific Ocean. It repeals the duty on iron ore, of which the Provinces of Ontario and New Brunswick have enormous quantities for export; and, if Canada comes on the minimum rates, there will be a more open market in the United States for agricultural products from Canada than there has been since 1897 under the tariff that is now being revised.

There was a time when the Liberal party which is now in power at Ottawa would have welcomed some of the conditions that are offered in the Payne Bill. From 1866 to 1896, Liberals in all provinces of Canada were in favor of a return to conditions like those which were maintained between the two countries when the Elgin-Marcy treaty of 1854 was in operation. But much has happened at Ottawa since 1896—since the days when Cartwright and Laurier never made a political speech without denouncing the enormities of the Tory National Policy, without declaring that it was the policy of the Liberals to return to a tariff for revenue and also to establish more neighborly trade relations with the United States. Laurier and Cartwright ceased to make speeches in this tone, in or out of Parliament, as soon as the Liberals, as a result of the general election of 1896, for the first time since 1878, had a majority in the House of Commons.

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Except for a preference for Great Britain, the Liberal Government in 1897 adopted the National Policy of the Tories in its entirety. Since 1897, Liberal Governments have greatly developed and extended the National Policy. In so doing, they have curtailed the preference which was granted to Great Britain in 1897; and they have also raised a much greater barrier against reciprocity with the United States than existed when they took over the National Policy from the Tories in 1897. As a result of the control of Government at Ottawa by the Liberal party, Canada is to-day on a more protectionist basis than at any time since Confederation in 1867; and to-day there are in the House of Commons not half a dozen members who would support a bill for lowering protective duties, or for repealing the bounties to the iron and steel and other industries—an integral part of the Liberal National Policy—which are now costing the Dominion nearly three million dollars a year.

For Canadian Governments—Dominion and Provincial—the Payne Bill as it left the House of Representatives raises three distinct problems. Two of these problems—that arising out of the maximum and minimum sections, and that arising out of the offer of reciprocity in coal—concern the Government at Ottawa. The third, which arises out of the Fordney amendment to the lumber schedule of the Dingley Act—concerns the Provincial Governments which control their own Crown lands. This amendment is aimed at the Provincial Government; for it was by the administration of its Crown lands that Ontario, between 1897 and 1900, countered the Michigan lumbermen who were responsible for the affront to the Dominion in the clause of the lumber schedule which was intended to prevent Canada from imposing an export duty on saw logs in retaliation for the extortionately high duties on manufactured lumber from the Dominion.

From 1897 to 1906, there were two rates in the Dominion tariff—the preferential rates for Great Britain and the general rate for non-British countries. From 1900 to 1904 the Canadian Manufacturers' Association was agitating for higher protective duties. Their demand was for a tariff with maximum and minimum rates—the maximum rates to be as high as those of the Dingley tariff. As the general election of 1904 drew near, the Laurier Government yielded to this agitation and undertook to revise the tariff of 1897, with the promise that in the new tariff

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there should be maximum and minimum rates—the maximum rates to be applicable to countries which in their tariffs dealt unfairly with Canada. The Canadian Manufacturers' Association understood this promise to mean a large increase in duties on imports from the United States; and, when the Tariff Commission of 1905-6 was on its tour, manufacturers came before it to urge duties on the Dingley level as a protection from American competition. These pleas for higher duties aroused the farmers of Ontario, who are well organized in granges and farmers' associations. Within two weeks after the Tariff Commission had begun its public sessions at Montreal, in November, 1905, the opposition of the farmers to Dingley duties had become so strong that the Tariff Commission ceased to discuss maximum and minimum rates; and, as a compromise, there was evolved the existing tariff, with its three tiers—the general tariff, the intermediate tariff and the British preference.

In November, 1906, when Mr. Fielding introduced the new tariff in the House of Commons, he announced that it was the intention of the Government to use the intermediate tariff as a basis of negotiation with countries that were prepared to make tariff concessions to Canada. Six months later—in May, 1907—Mr. Fielding was in Paris negotiating a commercial treaty with France on this basis. The efforts of the Ministers of Finance were successful. Parliament at Ottawa at once approved of the treaty—the approval being necessary because the concessions in the treaty went beyond those authorized in the intermediate tariff. It was April, 1909, however, before the French Senate adopted the treaty; and so far France is the only country enjoying the advantages of the intermediate rates of the Canadian tariff.

The situation at Ottawa has thus altered since the Payne Bill was reported to the House of Representatives. The change took place while the Bill was in the House; and the result is that, should the maximum and minimum section be accepted by the Senate in its present form, Canada, sixty days after the Payne Bill becomes law, will either have to concede the intermediate tariff to the United States, or Canadian imports will become chargeable with the maximum rates of the United States tariff which are much in excess of those of the Dingley Act.

Duties in the Canadian intermediate tariff are from five to ten per cent. below the duties in the general list, to this extent

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diminishing the protection of the tariff. At the revision of 1906 there were few Canadian manufacturers who were not granted some addition to their protection in response to their petitions. Increases ranged from two to five per cent., but they were sufficient to show the sympathy of the Laurier Government; and whether small or large, they were enough to repay the manufacturers for the expense and trouble to which they had gone in the agitation for higher duties against British and American exports. None the less, the revision of 1906 was in two respects a disappointment to the protectionist interests. Manufacturers had counted on Dingley rates against the United States; and they were alarmed at the idea of the intermediate tariff being used as a basis of negotiation. They had no great dread of France; but they were nervous lest the intermediate tariff should be granted to Germany as an ending to the tariff war which had been going on since 1898.

Especially were the Canadian manufacturers apprehensive lest the Government should use the intermediate tariff in negotiation with the United States. They early elicited from the Government a statement that there was no intention of making any overtures to Washington; and it is most unlikely that the application of the intermediate tariff to the United States would have been broached had there been no maximum and minimum rates in the Payne Bill.

Canadian protectionists are exceedingly well organized. There can hardly be two hundred manufacturers in the Dominion who are not of the Canadian Manufacturers' Association. Hitherto the Laurier Government has been more afraid of the Manufacturers' Association, with its twenty-four hundred members, than of all the consumers in the Dominion; and the probability is that, if the maximum and minimum section is enacted as it now stands, Canadian imports in the United States will be paying maximum duties for a long time after the Payne Act has become law.

Germany began the tariff war that has been going on since 1898. It levied its maximum rates on Canadian imports in that year because Canada declined to make the same tariff concessions to it as were made to Great Britain by the preferential tariff of 1897. Canada did not retaliate until 1903. In October of that year, there went into operation a surtax of one-third on imports from Germany. There is no mention of Germany in the Canadian Act. It simply provides that "articles which are the growth,

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produce or manufacture of any foreign country which treats imports from Canada less favorably than those from other countries may be subject to a surtax" of one-third of the duties in the general tariff. The surtax was imposed by order-in-council—that is, by the administrative action of the Government; and it would seem that, if the United States put the maximum duties of the Payne Bill in force against imports from Canada, it would be open to the Government at Ottawa, without further powers from Parliament, to pass an order-in-council imposing the surtax on imports from the United States, and a tariff war with widespread disastrous results to exporters and consumers in both countries would ensue.

Should there come a conflict between the two countries over the maximum duties, there would be no immediate action at Ottawa in connection with the offer from Washington of reciprocity in coal. Every province except Nova Scotia would be benefited by free trade in coal, for the existing duty in the Dominion tariff in the interest of the coal operators of Nova Scotia is now costing the Dominion three and a half million dollars a year. Since 1879 there has been a duty on bituminous coal, not as a revenue duty, but with the avowed object of holding the Canadian market for the Nova Scotia mines. Liberal as well as Tory Governments have maintained the coal duty to this end; but, after thirty years of persistence, it has been found impracticable to force Nova Scotia coal into use in Ontario. That province still draws its increasing supplies from the United States; and all that the coal duty has effected has been to secure for the Nova Scotia operators the larger part of the bituminous coal business of Montreal and the Province of Quebec. These operators are not sanguine that, under reciprocity, they could market as much coal in New England as they now do in the French Province; and, until they are satisfied on this point, there will be no reciprocity in coal, for Nova Scotia can always obtain any tariff or bounty concession from the Dominion Government on which the members from the province are agreed. It is a small province; but directly or indirectly—by tariff duties or by bounties—it has had sufficient influence at Ottawa to lay the other provinces under tribute to the amount of five or six million dollars a year.

The obnoxious clause in the Dingley tariff that was countered by the Government of the Province of Ontario was inserted at the

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instance of owners of sawmills in Michigan, who were dependent or partly dependent for saw logs on Ontario. Its purpose was to make it impracticable for the Government at Ottawa to retaliate for the duty of two dollars a thousand feet on manufactured lumber by imposing an export duty on saw logs. This Michigan clause was one of the "little jokers" of the Dingley Act; but unlike some others in the series of 1897, it failed of its purpose, and proved a boomerang for the men who had succeeded in tucking it away in the tariff law. It provided that, "if any country or dependency shall impose an export duty upon saw logs, round unmanufactured timber, stave bolts, shingle bolts or heading bolts exported to the United States, or a discriminating charge upon boom sticks or chains used by American citizens in towing logs, the amount of such export duty, tax or other charge shall be added as an additional duty" to the duties imposed upon the articles in this schedule of the Dingley tariff.

Mr. Fordney, of Michigan, who is a member of the Committee of Ways and Means, has admitted the authorship of the amended clause which is now of the Payne Bill. It reads: "If any country, dependency or province, or other subdivision of government shall impose an export duty, or other export charge of any kind whatsoever upon, or any discrimination against, any forest product exported to the United States, or if any country, dependency or province or other subdivision of government forbids or restricts the exportation of any forest product to the United States in any way there shall be imposed upon all of the forest products of such country, when imported into the United States, the duties prescribed in Section 3 of this Act* during the continuance of such export duties, charges, embargo, discrimination or restriction."

The explanation of this amending clause in the Payne Bill is to be found in the policies of the Governments of Canada when they were confronted with the Michigan clause in the tariff of 1897. The Michigan lumbermen conceived that they had made an export duty impracticable. To that extent they had provided against retaliation. But they had overlooked the fact that the older provinces of the Dominion have entire control over their Crown lands. Saw logs from Ontario for the Michigan mills are mostly cut on Crown lands, under conditions determined by the

* The duties now levied under the Dingley Act.

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Government at Toronto—conditions which can be varied from year to year when the timber limits are disposed of by public tender. Before the passage of the Dingley Act these conditions were comparatively few; and there was nothing in the contracts which prevented Michigan lumbermen from buying the limits, cutting logs and towing them to the sawmills on the American shores of the Lake.

The Government at Ottawa could not impose an export duty without dislocating the Canadian lumber industry. But it was possible for the Government of the Province of Ontario to vary the conditions under which timber limits on Crown lands were sold, without throwing on the lumber industry of the Dominion the burden of the penalty of the Michigan clause in the Dingley Act. The Ottawa Government took no action; but the Toronto Government so changed the conditions of sale of timber limits as to compel all purchasers of limits to saw their logs within the Dominion of Canada. Michigan lumbermen drawing supplies of logs from Ontario resented the new condition, and brought suit against the Ontario Government. The action was carried from court to court, but in each court judgment was against the Michigan lumbermen; and since 1898, as the result of the new Crown-lands policy then adopted by the Ontario Government, numerous sawmills owned by Americans have been established in the lumber regions of the province in order that American holders of timber limits might comply with the only terms on which logs can now be cut on Crown lands in Ontario. Lumber so cut when imported into the United States has, of course, paid the high duties of the Dingley Act.

The amended clause in the Payne Bill is intended to eliminate these conditions in the timber contracts for Crown lands in Ontario. But the policy adopted by the Ontario Government in 1898 has had obvious advantages for the province. It is one of the most successful "made-in-Canada" movements ever embarked in by a Provincial Government. It has had the support of the people of Ontario; and, as the remodelled clause in the Payne Bill constitutes an unwarrantable interference with the policy deemed expedient by the Provincial Government in respect to its Crown lands, the enactment of this clause can only mean that the Dingley duties on lumber from Canada will be continued.

EDWARD PORRITT.

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THE ENGLISH IN INDIA.

BY CHARLES JOHNSTON.

In much that has been written recently in a sense hostile to the work of England in India, there are certain tacit assumptions. The first is, that the English went to India as ruthless conquerors, destroying a national culture which had many of the elements of the golden age. But the truth is, that the English went to India not at all as soldiers or conquerors, but simply as a "company of merchants of London trading to the East Indies." England was then in the full flow of a splendidly creative epoch. Englishmen had been heartened by the defeat of the great Spanish Armada twelve years before. Sir Francis Drake's voyages up the coast of California and across the Pacific and Indian oceans had kindled the imagination of his country; Sir Walter Raleigh had explored the marvellous forests of Guiana; English merchants were beginning to find their way overland to India. The outflow of national genius was equally shown in the tragedies of Marlowe, the poems of Edmund Spenser, the sonnets and early plays of Shakespeare.

The East India Company, the London Company trading to Virginia, the Plymouth Company, were all a part of the same outflowing tide. The forces that led Captain John Smith to found Jamestown, on the fringe of the Virginia forest, in 1607, at the same time carried Captain Hawkins to Surat in Western India, with a letter from James I to the Emperor of Delhi. So close is the relation between the two movements that we find the same adventurous spirits appearing now in the factories of the East India Company, now in the settlements on the American coast. And we have just been reminded that Elihu Yale served as Governor of the Council at Fort George in Madras before he came to Connecticut as Governor and founder of a great university.

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For the century and a half from 1600 to 1750, the English took no part in Indian politics, and occupied no territory but the ground on which their warehouses were built. This century and a half saw a splendid contest between the most virile nations of the West throughout the seven seas. Italy, Portugal, Spain, France, England, and at a later date Germany and Scandinavia, all entered the lists. But so far as India was concerned, their rivalry was commercial only. At many of the Indian trading towns Dutch, Portuguese, French and English merchants had their warehouses side by side.

About 1750 the change came, and it came once more as a part of a world-movement. The impetus was given, oddly enough, by the death of the Emperor Charles VI, and the contest for the succession to the imperial crown. George I and George II, as Electors of Hanover, were drawn into the contest. Louis XV of France took the opposite side. War broke out between France and England, became quiescent, and again broke out in 1754.

This war had results which changed the face of the world. France and England fought their battles in two hemispheres. The struggle raged from the Ohio River to the Ganges. Colonel Washington and Colonel Clive were fellow officers in the same contest; the capture of Madras by Labourdonnais and the disaster of Braddock's Field were parts of the same cycle of events. In both hemispheres the English won. The struggle along the Mississippi and the St. Lawrence gave the English race the supremacy in North America. The contest on the Bay of Bengal and the Ganges laid the foundation of the British Empire in India.

Was the founding of the British Empire in India the death-knell of a great national culture, a culture of the golden age? One must be singularly ignorant of Indian history to imagine anything of the kind. It is hard to point to any period during the last three thousand years when India was in any sense a nation. It is easy to point to periods of centuries at a time when India was an arena of warring nations, representing hostile races, opposed ideals, mutually unintelligible tongues. India was no more a unit than Europe; and if long centuries ago an Asoka or a Samudragupta had united many kingdoms under a single despotic rule, the death of the despot had always been the signal for decline and dissolution. But even this degree of national life

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had perished utterly, long before 1750. More than a thousand years of conquests and foreign invasions by the Arabs, Turks, Tartars, Persians and Mongols had carried fire and sword from the Himalayas to the extreme south of the peninsula. And while it is true that the Rajputs, with their splendid feudal aristocracies, had fought heroically against the Mussulman hosts from the northwest, yet it is unfortunately true that we find among them little that can be called national or patriotic feeling for India as a whole. The Mongol or Mogul emperors again and again enlisted the Rajput princes under their banners, and the greater part of India was won for the Moguls chiefly through the military prowess of their Rajput allies. More than this, the Rajputs were at the same time waging wars of their own, not only against other Hindu princes, but even among their own clans. And all these Indian wars were accompanied by plundering, slaughter and devastation to a degree that we can hardly realize to-day. Opening a History of India at random, I came on the following passage from the central period of Mussulman invasion:

"The king's exactions, which were always excessive, were now rendered intolerable by the urgency of his necessities: the husbandmen abandoned their fields, fled to the woods, and in many places maintained themselves by rapine; many towns were likewise deserted, and Mohammed, driven to fury by the disorders which he had himself occasioned, revenged himself by a measure which surpassed all his other enormities. He ordered out his army as if for a grand hunt, surrounded an extensive tract of country, as is usual on the great scale of the Indian chase, and then gave orders that the circle should close towards the centre, and that all within it (mostly inoffensive peasants) should be slaughtered like wild beasts. This sort of hunt was more than once repeated; and on a subsequent occasion there was a general massacre of the inhabitants of the great city of Canouj. These horrors led in due time to famine, and the miseries of the country exceeded all power of description."

Three-quarters of a century later, one reads:

"Plunder and violence brought on resistance: this led to a general massacre; some streets were rendered impassable by heaps of dead; and the gates being forced, the whole Mogul army gained admittance, and a scene of horror ensued easier to be imagined than described."

This is a scene from Timur's frightfully destructive invasion. The slaughter of the inhabitants of Delhi lasted for five days. A century and a quarter later, we learn that "Baber's conduct to the places where he met with resistance was as in-

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human as that of Tamerlane" (Timur). The history of the empire founded by Baber has one bright epoch in the splendid and tolerant reign of Akbar. On the other hand, throughout the whole of this Mongol dynasty, we find horrible conspiracies of sons against fathers, and frightful contests, whether of force or fraud, between brother and brother.

Let us pass over two red centuries, and come to the period on the eve of 1750 and the war between France and England. Here is a scene from 1739:

"The slaughter raged from sunrise till the day was far advanced, and was attended with all the horrors that could be inspired by rapine, lust and thirst for vengeance. The city [Delhi] was set on fire in several places, and was soon involved in one scene of destruction, blood and terror. . . . Every species of cruelty was employed to extort these contributions. Great numbers of the inhabitants died of the usage they received, and many destroyed themselves to avoid disgrace and torture. Sleep and rest forsook the city. In every chamber and house was heard the cry of affliction. It was before a general massacre, but now the murder of individuals."

To say nothing of wars among the Indians themselves, there were no less than four Afghan invasions of India in the twenty years after this last sack of Delhi. The Mogul Empire was falling to pieces in a ruck of blood, treachery and massacre.

But, it may be said, there were elements of power springing up from the older Hindu races. They might have brought regeneration. It is quite true that new forces were making themselves manifest. Let us see what promise they held for the better government of India. Of these new powers, two stand forth conspicuous: the Mahrattas in the south, and the Sikhs in the north. Here is a picture of Sivaji, the heroic founder of the Mahratta confederacy:

"The Mahratta consented to receive his assurances of forgiveness at a personal interview, if the Khan would concede so much to his fears as to come unattended for the purpose of meeting him. Afzal Khan on this quitted his army, and went forward with an escort, which he was afterwards persuaded to leave behind, and advance with a single attendant. He was dressed in a thin muslin robe, and carried a straight sword, more for state than any expectation of being required to use it. During this time Sivaji was seen slowly descending from the fort: he advanced with a timid and hesitating air, accompanied by one attendant, and to all appearance entirely unarmed; but under his cotton tunic he wore a shirt of chain-armor, and, besides a concealed dagger, he was

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armed with sharp hooks of steel, which are fastened on the fingers, but lie concealed in the closed hand, and are known by the descriptive name of 'tiger's claws.' The Khan looked with contempt on the diminutive figure, which came crouching on to perform the usual ceremonies of meeting; but at the moment of the embrace, Sivaji struck his claws into his unsuspecting adversary, and before he could recover from his astonishment despatched him with his dagger."

Sivaji had begun his career by robbing his father. He continued it in plundering, devastation and treachery, and founded a power which lasted for nearly two centuries, and at one time dominated all India, from the Punjab in the extreme north, to the south of the peninsula. During the whole of this period, the history of the Mahratta power is one long record of craft and rapine; and there is absolutely nothing to show that any of the warriors and statesmen who directed the policy of the Mahrattas ever viewed the purposes of government as anything else than the organization of robbery.

Let us turn for a moment to the Sikhs, the other native Indian power which was rising from the ruins of the Mussulman Empire. There is much that is attractive about the Sikhs, in their sincerity, their courage, their devotion to their ideals. But whether there was anything in their spirit to insure wise government, the following sentences will sufficiently show:

"The severities of the Moguls only exalted the fanaticism of the Sikhs, and inspired a gloomy spirit of vengeance, which soon broke out into fury. Under a new chief named Banda, they broke from their retreat, and overran the east of the Punjab, committing unheard-of cruelties wherever they directed their steps. The mosques, of course, were destroyed, and the mullahs butchered; but the rage of the Sikhs was not restrained by any considerations of religion, or by any mercy for age or sex; whole towns were massacred with wanton barbarity, and even the bodies of the dead were dug up and thrown out to the birds and beasts of prey."

These scenes took place some twenty years before the birth of Washington.

We have thus taken stock of all the native elements in India, about the year 1750, just before the English conquerors "ruthlessly broke into" that Utopia of the golden age. Let us see, as briefly as possible, how the "conquest" came about. The first shock, as already pointed out, came from the war with France, the same war which made the English race masters of North

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America. But it was some time before there was any acquisition of territory. And it is noteworthy that, so far were the English from any design of conquest, that they seem again and again to have stumbled into a forward policy unwillingly, and on the initiative of their opponents.

Thus it was in their struggle against the French. France, or rather her proconsuls in India, had begun to "play politics" about 1740. A French fleet attacked and captured Madras, forcing Clive to take to flight. The French governor of Pondicherry—which is a French settlement to this day—entered into intrigues with the princes of southern India who were rising amid the ruins of the old Mongol Empire. By inducing some of these to take action against the English, he forced the English into Indian politics in self-defence; and, as a result, England presently came into possession of a coast strip in Northern Madras, taking it, not from any native power, but from the French, who acknowledged their world-wide defeat in 1763. It was in like manner from the Portuguese, and not from any native power, that the English got Bombay.

In Bengal the English had built up a fortified post at Calcutta. They were under the authority of the Nawabs, the Mussulman governors of the decrepit Delhi Empire. The Nawabs of Bengal had their capital at Murshidabad. In 1756 the Nawab, Suraj ud Dowla, was a mere youth, wild and licentious like so many of the young Mussulman officers. He had a quarrel with a member of his household, who fled to Calcutta and took refuge with the English. When the English refused to deliver him up, Suraj ud Dowla marched on Calcutta, captured it, destroyed the factories and warehouses, and drove 146 English men and women into a noisome dungeon. By next morning 123 were dead. This atrocity of the "Black Hole of Calcutta" brought on war, thus leading to the conquest of Bengal. The decisive battle was fought in June of the following year, 1757, at Plassey, not far south of Murshidabad. The young Nawab of Bengal had 50,000 foot, 18,000 horse, and 50 guns drawn by elephants and served by French gunners. Clive, on the English side, had about 1,100 English soldiers, 2,100 sepoys (native troops) and 10 guns. In the battle his victory was swift and complete. If this was a war of conquest, then we may say that never had a war a better excuse; never was a decisive battle won against such odds.

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Though they had defeated the Nawab, the English did not take possession of his territory. They limited themselves to the exaction of an indemnity; and, with their approval, a new Nawab, Jaffir Ali, came into power at Murshidabad. His successor remains there to this day as premier noble of Bengal.

The Delhi Emperor was so much struck with the prowess of Clive, who was then only thirty-two, that he granted him the revenues of a district round Calcutta, and a title as an officer in the Mogul service. Thus Clive became a landlord under the Delhi Empire, and the East India Company became his tenants.

The next step was taken in 1765. The figurehead Emperor at Delhi granted a charter, assigning "the dewani of Bengal, Behar and Orissa to the East India Company." This charter did not transfer any territory or sovereign rights. Its real effect was to transfer to the East India Company, and to Clive as its representative, the duty of collecting the taxes of these three provinces, which had at the time a population of some 30,000,000. By inevitable degrees, as the Delhi Empire fell to pieces, its powers gradually passed into the hands of the Company, who, however, continued to recognize the Emperor until 1857. It was as representing the Mogul Emperor that the East India Company exercised authority through the Lower and Upper Provinces of Bengal.

Meanwhile, the Mahrattas continued their course of depredation and devastation. They harried southern India. They attacked the great Rajput clans of the western plains, and were slowly crushing them, and with them all that was noblest and best in India. As the result of three wars, the Mahrattas were finally defeated in 1818. In the year following, the Marquis of Hastings, then Governor-General, wrote concerning the Mahrattas:

"It is a proud phrase to use, but it is a true one, that we have bestowed blessings upon millions. Nothing can be more delightful than the reports I receive of the sensibility manifested by the inhabitants to this change in their circumstances. The smallest detachment of our troops cannot pass through that district without meeting everywhere eager and exulting congratulations, the tone of which proves them to come from glowing hearts. Multitudes of people have, even in this short interval, come from the hills and fastnesses in which they had sought refuge for years, and have reoccupied their ancient deserted villages. The ploughshare is in every quarter turning up a soil which has for many seasons never been stirred, except by the hoofs of predatory cavalry."

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The more we know of Mahratta history, the more heartily we shall appreciate Lord Hastings's words.

Finally, we come to the Sikhs. Ranjit Sing, their greatest leader, was born in 1780, twenty-three years after Plassey. In 1800, he began to build up a kingdom under the wing of the Afghans. He died in 1839 without ever having come into collision with the English power. He left no strong successor; and, six years later, the Sikh army, numbering 60,000 men, took the offensive and invaded British territory. They were completely defeated, but the victors refused to annex their territory, the Punjab. They preferred to set up a Sikh protectorate, recognizing Dhulip Sing as Raja. Three years later this policy of clemency proved itself a failure. The Sikhs again took the offensive. As a result, the Sikhs were defeated, and the Punjab annexed in 1849. This practically completes the story of the conquest of India by the "company of merchants of London trading to the East Indies."

It is a great story, and has the added element of greatness that at no time were the English the aggressors. They fought on the defensive, first against the French, then against the Mussulmans of Bengal, then against the Mahrattas, then against the Sikhs. If they ultimately came into possession of an empire in India, it was not of forethought, but by natural selection, which first eliminated their European rivals: Portuguese, Dutch, Germans, Scandinavians, French; and then showed that, of all the forces left in India, the English were best fitted to build up a just and conservative rule. Thus the assumption that the British, as ruthless conquerors, destroyed a native paradise is a complete illusion.

We come to the next assumption, that the English have warred against the native spirit and native institutions. Nothing could well be further from the truth. In reality, the genius of England has been, throughout, the genius of conservation: conservation often carried to chivalrous extremes.

Whatever in India was capable of being preserved the English preserved. As we saw, the great Rajput clans, the best and noblest blood in India, were being slowly crushed out of existence by the Mahratta plunderers just a hundred years ago. The English stepped in to shield them, with the result that there are to-day in India eighteen reigning Rajput princes, the total area of whose dominions is larger than France or Germany. To these

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may be added seven Kshattriya principalities, making a total area of nearly three hundred thousand square miles, an area equal to Great Britain and France combined, under the rule of the old military races of national India. It is not too much to say that, in all probability, not one of these five-and-twenty principalities would be in existence to-day but for England's genius of conservation. Through the operation of that genius, it comes that the splendid houses of Udayapura, "the dwelling of the sunrise," Jayapura, "the dwelling of victory," Yodhapura, "the dwelling of warriors," and their kin, whose ancestry goes back to the dawn of time, are still among the reigning kings of the earth.

But England's principle of conservation was not limited to the old national kingdoms. It extended equally to whatever was capable of being preserved among the Mussulman powers. Foremost among these comes southern Hyderabad, so recently brought to the notice of the world by a destructive flood. Hyderabad, equal in area to Great Britain, represents the territory which one of the great Mussulman deputies carved for himself from the crumbling ruins of the Mongol Empire. And in spite of many shocks and difficulties, the descendant of that turbulent Turk rules and reigns in Hyderabad to-day. More than once a somewhat vigorous helping hand has been necessary, as in the case of nearly all the native states; but it is, nevertheless, true that Hyderabad still preserves the forms and something of the spirit of the Mogul Empire, with the elements of savagery and rapine left out.

There are six or seven more Mussulman principalities, each conserving its own spirit, life and customs. One is ruled by a Sunni, one by a Shiah, two by Pathans, one by an Afghan, and so forth. All represent old adventurous elements of the period of invasion. In the same way there are three Mahratta states, representing the spoils of the great plundering confederacy. Gaekwar of Baroda, Sindhia of Gwalior, Holkar of Indore, are the descendants of three adventurous warriors, soldiers of fortune of the palmy Mahratta days so graphically pictured by the Marquis of Hastings. There would have been a fourth Mahratta state, in Nagpur, had not the Bhonsla Raja, descendant of another soldier of fortune, died without issue.

In like manner, the English have conserved the Tibetan Bud-

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dhist state of Sikkim, and two Jat states on the fringe of the Rajputs. There are four Sikh states, the *débris* of the Punjab; and it cannot be doubted that the whole Punjab would remain a self-governing Sikh kingdom but for the two wars of aggression already chronicled. But it is equally certain that the populations formerly governed by the Sikhs have greatly benefited by the change. Their loyalty to the English, and their enthusiastic support in the great Mutiny of 1857, sufficiently show their gratitude and sense of obligation.

A word in digression. Some unfriendly but badly informed critics make comparisons to the disfavor of England by asserting that the "native states" are much better governed; and, oddly enough, they pitch on two of these states, Baroda and Mysore, to prove their point. In this there is an element of quite unconscious humor. For among all the native states none has been more assiduously nursed than these two. Mysore, rescued by the English from a Mussulman usurper at the end of the eighteenth century, passed through a series of vicissitudes, was put in thorough working order, and finally handed over to a scion of its ancient house as recently as 1881, with the condition that its sound and practical organization must be kept intact. It is not unnatural that Mysore is to-day a model state. Much the same is true of Baroda.

So we have this long series of native states, with a total area of nearly seven hundred thousand square miles, and a population of over sixty millions: Rajput feudal aristocracies, old Brahmanical kingdoms, bits of the Mongol Empire, *débris* of the Afghan invasions, Sikh principalities: a vast museum of past centuries, to testify to the English spirit of conservation, which has shown itself as beneficent in India as in Egypt.

In another way this same spirit has been not less effective. In India there are half a dozen great religions, and scores of smaller faiths. None of these except Buddhism had a genuine spirit of tolerance. Brahmanism was the most exclusive and domineering of them all. We saw what horrible cruelties could be inflicted by Mussulmans on Hindus, by Sikhs on Mussulmans, and, to the shame of Western nations, it must be said, the cruelties of the Portuguese Inquisition in southern India were at least equal to the worst of them.

What has been the attitude of England towards all these war-

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ring cults? It has been toleration, the broadest and truest toleration the world has ever seen. Not only are all these heated sectarians taught to dwell together in mutual amity and respect, but further there is a defined and fully conscious conservation of whatever is best in the genius of each faith. Each one of the old religions represents not only an attempt to explain the riddle of the world, but also a system of domestic and social life, entering into minute details of sentiment, of habit, of social and personal feeling. The English in India, recognizing this, have followed the lines of natural and age-long growth, and have given to the devotees of each of these different faiths a government in harmony with their particular genius. The laws of Manu with their developments are administered as the civil law of the Hindus. All personal, domestic and testamentary disputes of the Mussulmans are settled in accordance with the Koran and its law-books. The same is true for the Jaina, the Buddhist, the Parsee. And with this has gone a conservation and cultivation of the ancient sacred idioms of all these old religions. Sanskrit, Zend, Arabic, Persian, all owe much to the fostering care of the India Office. And with the modern tongues the same course has been followed. Very much has been done to turn into modern literary languages the popular idioms of the Bengalis, the Sikhs, the Mahrattas, the Tamils, the Telugus and a score of other less familiar tongues. Thus every one of a score of nations, races and faiths in India has a government in its own tongue, in harmony with the spirit of its own history and religion.

Perhaps the best single work in the modern tongues has been the translation into all of them of the Indian Penal Code, and its distribution broadcast in cheap editions. No one not familiar with the hazards of humble lives under Oriental despotisms can realize what a boon is conferred on India by a simple, uniform and impartial system of law, the statement of whose obligations and sanctions is within the reach of every one. For, while preserving to each cult and tribe its own civil and religious law, England has given her Indian possessions a single criminal law, simple, impartial, intelligible. It is a symbol of that complete uniformity of civil rights which England had conferred on each one of the countless millions of India, man, woman or child, prince, Brahman or outcast. So much for the spirit of conservation.

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Yet again, it is assumed that India is heavily taxed by the English, more heavily taxed than at any time in her past history. This is the assumption. But what is the reality? Under the ancient native despots, like Asoka and Samudragupta, the peasant was compelled to pay one-fourth of the gross produce of his land to the king's revenue. One-fourth, that is, must go into the treasury. How much stuck to the fingers of the tax-gatherers is another question. The Mongols raised this to a third, with the same condition. Let me record the candid expression of one of their officials fifty years before Plassey:

"Contributions were now levied in lieu of regular revenue, and the parties sent to collect supplies committed great excesses. The collectors of the jizya [poll-tax on Hindus] extorted millions from the farmers, and sent only a small part to the treasury. Whenever the Emperor appointed a jagirdar [tax farmer] the Mahrattas appointed another to the same district, so that every place had two masters. The farmers left off cultivating more ground than would barely subsist them, and in their turn became plunderers for want of employment."

A very careful calculation has shown that, in a certain area, the taxes levied by the Mogul Government about the year 1700 were three times the amount collected by the English two centuries later. India has, in fact, the lowest taxes of any decently governed country in the world. Again, England is reproached with keeping a huge army in India. The English army in India numbers, with officers, less than 75,000—to safeguard a population of three hundred millions. Surely this is eloquent enough. Let us compare this with "the good old times." Chandragupta, we are told, had an army of close on 700,000. The Raja of Vijayanagar, about 1500, had an army of 740,000. Aurangzeb, about 1700, assembled a host estimated at well over a million.

Nevertheless, in spite of the excellence and economy of her government, India is one of the poorest countries in the world. What is the reason? Here we come to the heart of the matter. India, and especially British India, is poor, because she has an enormous population trying to live by agriculture alone. In parts of the Ganges Valley this population amounts to a thousand or more to the square mile.

This tremendous population is not only trying to live by farming alone, and poor farming at that, but is increasing more rapidly than any Western nation. We hear a good deal about race suicide in this country, but what of the alternative in India?

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In the Punjab the birth rate per thousand was 41 in 1904 and 44 in 1905. In Agra and Oudh it was 47 in 1904. In the Central Provinces the birth rate was 53 per thousand in 1904 and 54 in 1905. These three provinces have a united population of 80,000,000. The total number of births for this region is, therefore, nearly four millions a year.

An immense rural population, with an abnormal birth rate: this is the true cause of India's chronic poverty. And it is perfectly evident that, against such causes, the best government in the world, a government of sages, would be powerless. We spoke of a certain measured district in northern India which paid three times as much revenue two centuries ago as it does to-day under the far lighter English taxes. But it must not be forgotten that three times as many persons are now trying to make a living out of this same area of land. The taxation per head is thus about one-ninth; yet the population is poorer than ever.

The two effective causes of India's poverty: abnormal birth rate and absence of industrial life, are both the result of ceremonial views inculcated through centuries by the Brahmans. They have preached that sons are essential to salvation,—and have realized large revenues from the ceremonies for the dead. They have insisted that the ablest class in India must not take part in industrial life, and have glutted the legal profession and official life with men who should be merchants and organizers of industry. Romesh Chunder Dutt makes the astonishing confession that twelve million dollars' worth of gold is annually imported into starving India by the wealthier natives. And he tells us that this great sum is destined, not to encourage industrial life, but to supply the wear and tear of gold brocade. Is it not perfectly evident that no change of government, no representative institutions, no economies, can have any permanent effect on the well-being of India, while these great and growing causes of destitution remain? The remedy is, at this moment, wholly within the power of the natives of India. On the one hand, a cessation of the marriage of little girls and a higher ideal of chastity; on the other, a temporary abstinence from gold brocade, and the fostering of industrial life in India to relieve the pressure on the soil. The English have accomplished marvels in India; but these reforms must be carried out by the Indians themselves.

CHARLES JOHNSTON.

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THE CONDITIONS AND THE FUTURE OF THE PHILIPPINES.

BY ERVING WINSLOW.

THE Treaty of Paris signed on December 10th, 1898, was ratified in the Senate of the United States on February 6th, 1899, and in the Spanish Cortes on April 11th, 1899. The United States, therefore, has exercised quite ten years' sovereignty over the Philippine Islands. What has been done there has been pointed to with pride by Mr. Taft, by his former subordinates, and by the greater number of their friendly visitors, as a magnificent achievement of American ideals, its record as the proudest page in American history.

But suddenly a discordant voice breaks through the chorus of praise. The present head of the Philippine Government, inspired by an unheard-of frankness, looks out of the official windows, takes the bearings of the situation and defines them in words which are veritably "a bolt from the blue." Governor-General James F. Smith, in an address at the Quill Club at Manila on January 25th, after reciting the various beneficent designs and valuable works of the Government, deplores, in spite of all, "the growing gulf between the two peoples. An era of ill feeling has started between Americans and Filipinos and, I hesitate to say it, race hatred!" He enlarged upon the theme in his message to the Philippine Assembly on February 1st. There is something yet lacking, then, in spite of engineering undertakings, the coast surveys, the good currency, a fine civil service, measures of sanitation and educational advantages; and this is an extremely essential lack, as was recognized by Mr. Taft when he said in an address delivered just before he left Manila, on December 17th, 1903, at the Union Reading College: "Were I assured that the present attitude of the majority of American merchants and the

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American press would be permanent, and if I did not confidently hope that there must be a great change in the future, I should be very much discouraged in respect to the result of the experiment which the United States is making in these Islands." If Mr. Taft was right, we should now, in our discouragement, proceed to withdraw from the "experiment," since the essential change in attitude has taken place in the wrong direction! That the facts of the case fully bear out the statements of Governor-General Smith is well known to all who have correspondence with the Philippine Islands, who read the American and native newspapers printed there, and who have met Filipinos visiting the United States or such visitors to the Philippine Islands as have not confined themselves to the society and the environment of functionaries. Let us see why we should be very much "discouraged."

It should be noted that the racial antagonism has developed largely since the arrival of American women in the Philippine Islands. Army men frequently visited in Filipino families in the early days, but this practice is now tabooed. Some Americans have married Filipino girls, but the door of social intercourse with their fellow countrymen has at once been closed to them. Except by the *mestizo,* who courts the association of the white man, this attitude is resented with proud indifference. A recent editorial in a Philippine newspaper thus summarizes the situation:

"The least effort to promote the interests of the country was at first received with gratitude, for such an act of generosity and justice was most deeply felt. With childlike simplicity the people listened to hopeful assurances which fell like a benevolent rain upon their hearts. They applauded them and offered their help to give them practical form. . . . But now the racial division, which was nothing but a dividing-line in the beginning, has grown into a mountain range, separating the nation from the Government, the Americans from the Filipinos. . . . Now, too, the 'colonial' idea and permanent administration for inferior and incapable races, scarcely mentioned at first, have come to be matters of serious consideration. . . . With the breaking of the bonds of confidence, prejudice has grown more bitter. The persons in authority who should be influenced least by this prejudice, and who should of all others preserve their impartiality, have not resisted the trend of affairs. This is the chief cause of the present unrest. The people can no longer look upwards for encouragement in the way of peace and harmony.

"In spite of all the experts, authorities and administrators in the

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Philippines, we are standing to-day by the grave of those hopes which were based upon fraternal feeling, and the outcome of events is dark and uncertain."

Concerning a matter which has been the subject of very warm glorification, that of education, let us consider how the work in the Philippines is vitiated by the efforts of a foreign authority, out of touch with the national initiative and the needs and sympathies of the people. The demand that the teaching of English should be the preliminary to all other education has caused the schools to be very largely regarded as a political institution, while the waste and loss of energy and the delay in accomplishment because of it have been very great. There has been much difficulty in maintaining the small number of American teachers which has been fixed as a minimum. The discouraging nature of the employment induces very frequent resignations; and, the enthusiasm of the original movement having passed away, the quality of the new supply has very much deteriorated. As for the Filipino teachers, they are quite commonly obliged to devote the leisure of each day to committing to memory the words of the language which are to be the tools of instruction the next day, with a pedagogic result which can be readily imagined. In view of the circumstances and of the prejudice against the government system, which of course is purely secular, two other classes of schools have been created—the independent and the Roman Catholic. The former class attracts the children of the thinkers and leaders, and the church schools are frequented almost altogether by the children of the wealthy. It has been estimated by a recent visitor that not more than twenty-five per cent. of the Filipino youth are attendants on the public schools. Up to this time no higher education has been included in the public-school system, so that the other schools have necessarily been chosen as a preparation for the advanced courses of a complete education, while the whole influence of the powerful Roman Catholic hierarchy is opposed to the secular schools, which can hardly claim in an overwhelmingly Catholic country the same justification as exists for them in our mixed society. The result is that the "*tao*" youth is getting a little smattering of English, which he forgets directly in the use of the familiar tongue with his family and companions, and hardly a smattering of anything else. The question of the diversity of language among "sixty tribes" is

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continually brought forward to justify the necessity of instruction in English as a common language, and as an argument against the possibility of a homogeneous national development. The truth is that eleven-twelfths of the inhabitants of the Philippines are Christianized and civilized. Among these, there are only six or seven dialects spoken, and two, the Tagalo and the Vizayan, by the enormous majority. These dialects are very easily harmonized, differing as little as the Portuguese and Spanish. The Tagalo language has several grammars and a considerable bibliography. An important national association has been formed to maintain the study of the native tongues and to preserve their integrity. The untimely death of Dr. Doherty, who was deeply interested in the subject, interrupted the execution of a plan for an extensive and thorough native grammar, for which he had collected a great deal of valuable material. The population of the United States had a much larger number of different languages spoken within its limits at the moment of our independence than the wildest estimate made in the Philippines, but no one for an instant claims that the united colonies should have been prevented from organizing their government and enjoying their independence because outlying Indians talked different languages. The native newspaper and organ of national independence, "*El Renacimiento,*" which has been published eight years in Manila, is printed half in Spanish and half in Tagalo, an evidence that this one dialect affords a satisfactory means of reaching the native population.

For whose benefit, almost exclusively, are the much-vaunted engineering works, the docks, roads and bridges, even the water-supply and measures of sanitation, paid for by the Philippine taxes? The benefit accrues in an enormous proportion to the sovereign "foreigner." The two-million-dollar Benguit road to Baguio furnishes an opportunity for health and amusement for the American official who needs recuperation from his labors in a tropical climate. It is proposed to spend another million or so in the construction of a railway to this point. Much has been said in praise of the successful government of Manila. A native journal thus criticises the administration of the city:

"If there are some well-kept streets and parks, there are also entire wards which up to date have had no watering or lighting, and to which there is apparently absolute indifference; if there is a modern-

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ized part of the city, the most thickly populated quarters have received no attention whatever, being in the same condition in which their Excellencies, the City Fathers, left them, with their half-submerged, dirty and stinking streets. . . . The municipality has purchased an unnecessary tract of land at a price which is so excessive that it appears incredible; it has favored the public dancing-places, the centres of corruption for good morals; it has not taken any steps to isolate the brothels which now exist in a central part of the city, in spite of all protests of the abutters and adjoining property-owners; it is blind and deaf to the transgressions and violations of the liquor laws in their application to the Sunday traffic, so that, much to the grief of all decent persons, in the central streets and most frequented places one can frequently read signs like the following: 'Keg Beer on Sundays.'"

While the American portion of the city of Manila was swept and garnished, the strand upon which the Filipino promenade debouched and which was the favorite native resort was made the city dump! There has been hardly an attempt at restoration of the country roads with their simple bridges, which served the agricultural districts well under the Spanish rule and which were so largely destroyed during the war.

The poverty of the Philippine Islands is not to be cured by the showy kind of improvements chiefly serving the convenience of an administration which is in itself such a heavy burden upon the country. Besides the destruction of property during the war, there have been immense losses through droughts, rinderpests, typhoons and locusts. Wages in those parts of the Islands affected by the American occupation have, of course, locally increased. Mr. Forbes in his recent paper, "A Decade of American Rule in the Philippines," in the "Atlantic Monthly" has consoled himself with an agreeable automatic theory, of which the only defect is (as American labor at home will be able to appreciate) that the facts do not do their duty by meaning what Mr. Forbes says they "ought to mean." Mr. Forbes says:

"Thus, if we cause the rate of wages to rise to one dollar or two dollars a day, as is the case in the United States, it *ought to mean* [italics not Mr. Forbes's] that the productiveness of the Islands has increased a corresponding amount, which will be many times as great as the present. Then, also, if the American administration in the Philippines can succeed by increasing the physical welfare of the people, which would result very largely in increasing the population, this would mean increasing proportionately the number of laborers, and by increasing at the same time the rate of proficiency of the

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individual laborer, I believe that the result will show that the Philippines have before them a future literally golden!"

In the last ten years more than sixty million dollars, almost double the circulating medium of the country, equivalent approximately to seven dollars and a half for each inhabitant of the Islands, has been sent to the East Indies for the purchase of rice. This expenditure,—including the cost and charges before reaching the consumer,—has been something more than one hundred millions of dollars, an average of ten million dollars a year for foreign rice—by a country the climate and soil of which are admirably adapted to the profitable production of an article which is the principal element of native diet. From what quarter came first the only practical suggestion for the relief of the mass of the Filipino people? Foreseeing that every dollar which was to be expended for the importation of the necessaries of life might, if devoted to a home product, add to the prosperity and welfare of the people, it was Aguinaldo who, directly after the pacification, urged the establishment of an agricultural bank with a large capital! The function of this institution was to lend money upon small agricultural holdings secured by the value of the land and in a conservative measure by the future crop. The proposition was greeted at the time with scornful contempt, yet the scheme for an agricultural bank was brought forward in Congress and embodied in a bill two years ago; and, though reports of its operation have not yet come to hand, it seems to be the only hope for any real relief from the situation. The Filipinos see that with the proposed removal of the seventy-five per cent. of the Dingley sugar tariff, which is now remitted to the Philippine treasury and lightens the burdens of taxation, a few sugar-planters will gain what the Filipinos at large will lose. Concerning the removal of this duty to the limit of three hundred thousand tons, as urged by those who claim to be friends of the Filipinos, Mr. Harold M. Pitt, an authoritative expert, testifies that it could have no favorable influence whatever. The greater part of the Philippine sugar crop polarizes below eighty degrees and is practically unmarketable in the United States. To attract American capital to the Philippine Islands it would be necessary to give opportunity for the production of the ninety-degree raw sugar for which there is a market here; and, with the million-dollar sugar-mills which are essential to any successful production,

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the three-hundred-thousand-tons limit would be an absolute bar to such an investment.*

In view of former Commissioner and Secretary Wright's new motto, "Equal chances for all," in place of "The Philippines for the Filipinos" of the earlier days, a native writer makes this appeal concerning the results of exploitation:

"In our country, subjugated by a conqueror without moral or ethnological affinity with us, what value can that phrase of 'equal chances for all' possibly have? Even supposing that Americans and Filipinos had the same training and skill, and supposing that they had the same resources so as to enter the strife under equal conditions, is it to be believed that the natives would find the same protection that American enterprise, coming here to do business on a large scale, could reckon upon? Let facts speak for themselves. A government of commercial expansion, a government greedy of gold and riches, a government that at home fails to hinder absorption and to kill monopoly, a government fanatic in protectionalism, that builds tariff walls in order to protect special interests and trust-controlled products, is even less likely to concern itself with our interests than with those of its own people.

"This principle, entirely aside from the fact that it is in direct contradiction to the spirit of American political economy, is an absurdity in its application here. How are we, the Filipinos, going to start competition when we have no large capital such as the trusts possess, when we are unskilled in the control of the forces that have evolved the large combinations which decide the final outcome of competition? You Americans are abreast of all these things. You know and possess the means for this purpose. You have at your disposal all your many departments of investigation. If you want to know the value of woodland, with mathematical exactness for a safe investment and exploitation, you have at your disposal experts who will make a technical report and give all information necessary in the case; if you want to

* The Philippine clause in the "Payne Tariff Bill" as passed by the House of Representatives, providing for reciprocal free trade with the Philippines, limits the amount of sugar to be imported free of duty to 300,000 tons, of wrapper tobacco to 300,000 pounds, of filler tobacco to 3,000,000 pounds, and of cigars to 150,000,000 in any one fiscal year.

This clause embodies one of the characteristic attempts of Mr. Taft in Philippine affairs to ride two horses, which is sure sooner or later to bring him to a fall. He has tried to persuade the sugar beet and tobacco interests that the measure would be innocuous in its operation, but they see clearly enough that it is only an entering wedge for the entire removal of the duty, and for the development of sugar and tobacco production by American capital. He has assured the Filipinos that the plan is one for their relief, but the Philippine Assembly has vehemently protested against it, detecting the inevitable tendency therein, while depriving the Philippines of present revenue, to reduce their inhabitants to economic slavery and expose them to a competition, already foreshadowed, from Japanese or Chinese labor.

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know the wealth of a mine, its availability, its exact situation, the steps that must be taken to secure the concession therefor, you have at your disposal the same experts who will report on the inwardness of the matter, all that is hidden from the eye of the layman and inaccessible to us; if you wish to know the resources of a tract of land that some company or other wishes to exploit, desiring to find out the chances it offers and the best place for the railroad to cross it, you have at your disposal bureaus of technical information with all their resources and plans to give whatever knowledge is desired.

"You say we are afraid of competition. No, competition does not exist nor can it ever exist under a foreign government. What we are afraid of is absorption, monopolies, special privileges given 'for good,' the death of our nationality, economic slavery,—the most barbarous of all slaveries. When you with your energy, your skill and labor efficiency, your wealth and your national power, close your doors to the Oriental who comes to your country, not in search of equal chances but of any chance at all for making a living, lest your own welfare should be jeopardized ever so little, why should we Filipinos not be afraid when we are challenged to what you choose to call a battle of 'equal chances'?"

The salary list of the Philippine Commission and the five departments of administration, with contingent expenses, exceeds ten million dollars—paid, of course, in a large proportion to American officials. The Bureau of Insular Affairs has recently recommended the establishment of a system of pensions for all officers of the Philippine Government who are citizens of the United States and who have been in continuous, actual and satisfactory service in the Islands for ten or more years, receiving during this period an annual salary of not less than six thousand *pesos*. The expenditures under this pension system will be a heavy additional burden on the Filipinos.

The elective legislative branch of the Philippine Government has no power over appropriations, as the Upper House of the Legislature is composed of the Philippine Commission, which has absolute control over any action of the Lower House. In its last session the Assembly attempted to scale down salaries by a ten-per-cent. reduction, including their own and those of the members of the Commission, but the Upper House promptly refused to agree to the bill.

It has been found impossible to fix a stigma upon sentenced prisoners in the Philippine Islands. Such a large proportion of sentences have been imposed for political offences that no one thinks of discriminating against a convict in the Bilibid prison,

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as such, without inquiry first as to the nature of his offence. The enormous number of prisoners sentenced to the institution has made it absolutely necessary to establish a penal colony, and as many of these colonists are persons of excellent conduct and character, who have merely suffered through political expressions or actions, much liberty is given them and quite an attractive community life is developed among them, many of the convicts having been allowed to be joined by their families and provided allotments of land for cultivation. The conditions are so much better here than in the ordinary native life of hardship and poverty that the temptation has proved irresistible to create opportunity to exchange the nominal freedom "enjoyed" under the United States sovereignty at large for its more attractive and beneficent exercise under the prison administration.

Something must be said about the religious conditions of the Islands. First and foremost, the American "missionary" race is conspicuous for its gross neglect of the public offices of religion, so that, as far as example goes, there is a singular dereliction from precept which has had a most unfortunate influence. The Protestant churches are almost empty. The effect of an open "alliance" with the Roman Catholic Church, which it was thought desirable to make public for its effect upon the vote in the United States when the friars' lands were purchased, has done much to foster the great Aglipayan schism, founding its appeal very largely upon its claim to be a "national" church. It was undoubtedly fair and proper enough that these lands should have been bought by the United States and they may turn out a very excellent purchase, but the Church has greatly suffered in the Philippine Islands through the kind of notoriety given to the negotiations. It is perfectly obvious now that the identification of the Church with a "foreign" authority is as undesirable as it is unnecessary. Archbishop Hendricks tells us that when he arrived from the United States he was coldly received as its representative, but when he disclosed himself as a purely ecclesiastical envoy all doubt and hesitation disappeared. The Church has nothing more to look for from the United States treasury, and by disavowing any political affiliations it can undoubtedly win back the support of the patriotic Filipinos.

Three courses were open to the United States when they be-

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came possessed of the sovereignty, acquired with the aid of the Filipinos and afterwards purchased under the treaty with Spain.

First, there was the plain and simple course, after the pacification, which it was claimed could not be taken with an "enemy in arms," the course of loyalty to the principles of the Constitution from which there had been so grave a departure, namely: to make a definite promise of a speedy restoration of that independence to the Filipinos which they had really won from Spain as our allies, and to shape every administrative act to the accomplishment of that end, procuring for the independent Philippine nationality the protection of "neutralization."

Second, there was the method of the English "crown colony," by which acquired territory becomes a permanent possession of the sovereign without hope of a national evolution, having no recognized right to share in its own government, while it is developed primarily for the sovereign's own advantage through imported contract labor, if it is found desirable and if the natives cannot and will not accept the situation. This method of control was so generally assumed to be the only practicable one, though deemed impossible to the United States under its form of government, that experienced British colonial administrators like Mr. Alleyne Ireland came over to offer their evidence in behalf of the contention of the Anti-Imperialists that we must alienate territory which could not be effectively administered in harmony with our institutions. Yet, after a lapse of ten years, the American residents in the Philippines boldly claim that this method must be resorted to if there is to be any success or prosperity in the undertaking, and they find adherents in the United States who see no inconsistency in a government "half slave and half free."

Third, the course which has been adopted up to the present time has the merits of neither plan. It is *laissez faire* under the guise of submission to "destiny." The talk is all of altruism, and the Filipinos are to be allowed to play with the idea of independence like children with a toy. One of the Commissioners who recently visited the United States said that he believed that the Filipinos ought to talk about independence, but that they certainly ought not to have it! It is assumed that they have not intelligence enough to see through the vague tolerance of their aspirations, while no preparation for their fulfilment is made and every encouragement is offered to the exploitation of the Islands, riveting

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bonds hard to break. Is there not a moving appeal in the voice of the Filipinos, after the years of war and pestilence and famine, and hope long deferred? At the last Mohonk Conference, Señor Pablo Ocampo, the Philippine Commissioner to the United States chosen by the Assembly, spoke for his people thus:

"Facts have eloquently shown and proven our capacity. Evidence in support of it which no one would dare challenge is the incontrovertible fact that the Government established has met with progressive success. No political organizations, no economic or administrative methods have been introduced that have not fully justified their ends, since the response from the natives whenever called for has surpassed expectation. . . . All speaks of the actual fitness of my people, who, calm, yet filled with hope, confidently expect to win from the United States in patience and peace a just verdict upon our cause."

The chosen Speaker of the House of the Assembly, Señor Osmena, in his formal address endorsed by the great majority of the chamber, declared:

"The people desire independence. It believes itself capable of an orderly national life, efficient both in internal affairs and externally as a member of the group of civilized nations, and that, if at this moment the United States should grant the suit of the Filipinos for liberty, upon assuming responsibility they could discharge to the full their obligations towards themselves and towards others without detriment to liberty, to law, or to justice."

The handwriting on the wall, as the Anti-Imperialists read it ten years ago, has been fulfilled according to their interpretation. The growth of foreign Imperialism has coincided with the militarism, centralization and arbitrary assumption of executive power at home against which protest is at last arising all over the land. It is not too late to destroy the evil at its roots, to do justice to a long-suffering people and to vindicate the authority of the principles of the Declaration of Independence and of the Constitution of the United States.

ERVING WINSLOW.

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THE CHURCH'S ATTITUDE TOWARDS MENTAL HEALING

BY W. A. PURRINGTON.

THE initial success of all erratic religious movements may be traced in almost every instance to a belief, more or less substantiated, that extraordinary cures of physical maladies have followed, or have been wrought by, the ministrations of their teachers. Such a belief, finding lodgment in the thought of even educated and otherwise intelligent persons, has sufficed to make them enthusiastic disciples of charlatans, whose forthgivings they would have rejected, save for this delusion, with ridicule and contempt.*

It is not proposed to discuss here the likenesses and differences between the various systems of curing the sick in our own day by so-called mental healing, metaphysical healing, faith cure, new-thought, Mormonism; by the methods of Quimby, Eddy, Mix, Simpson, Barnes, the Mountain Evangelist, Matthews,—who call-

* Macaulay puts this admirably, in his review of Ranke's "History of the Popes," referring to Joanna Southcott, the Devonshire kitchen wench, who gathered a following of over 100,000 and established a sect still extant in 1889:

"A very common knowledge of history, a very little observation of life, will suffice to prove that no learning, no sagacity, affords a security against the greatest errors on subjects relating to the invisible world. . . . For these reasons we have ceased to wonder at any vagaries of superstition. We have seen men, not of mean intelligence or neglected education, but qualified by their talents and acquirements to attain eminence either in active or speculative pursuits, well-read scholars, expert logicians, keen observers of life and manners, prophesying, interpreting, talking unknown tongues, working miraculous cures, coming down with messages from God to the House of Commons. We have seen an old woman, with no talents beyond the cunning of a fortune-teller, and with the education of a scullion, exalted into a prophetess, and surrounded by tens of thousands of devoted followers, many of whom were, in station and knowledge, immeasurably her superiors; and all this in the nineteenth century; and all this in London." History repeats itself, and we heed its voice no more than Trojans heeded Cassandra's.

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ed himself Matthias and persuaded the good people of White Plains that if he were not released from jail that town would sink below the surface,—Schlatter, Dowie and the host of others who have had temporary success, a greater or less following and even, like Joanna Southcott and Joseph Smith, a survival of their doctrines for a while after their deaths. It is sufficient to say that they agree generally in denying the efficiency of medical treatment and substituting for it a belief in a religious theory, or an idea of health for that of sickness, or a theory of matter's unreality, or an erasure from the brain of subconscious pictures of ancient terror to which is traceable all physical disease, or a blending of these treatments.

Let it be admitted, for argument's sake at least, that in the teachings of all healers, self-deluded or conscious charlatans, there has been and is an element of truth, a causation not fully apprehended by them. Also let the following concessions be made:

(1) The influence of mind on body, and *vice versa,* is great; and, although always recognized by physicians, is yet far from being fully understood and reduced to formulated laws.

Dr. Osler concluded a review of medical progress in the nineteenth century by saying frankly that, other things being equal, the best practitioner is he who inspires most courage in the patient and radiates most hope in the sick-room. So, too, thought Montaigne, whose diatribes against physicians of his day and confidence in Horace's prescription, "*æquam memento servare mentem,*" would vastly please the run of mental healers were they familiar with his arsenal. He said of medical men, whose aid he nevertheless called in:

"It was a good rule in their art, and that accompanies all other vain, fantastic and supernatural arts, that the patients' belief should prepossess them with good hope and assurance of their effects and operation; a rule they hold to that degree as to maintain that the most inexpert and ignorant physician is more proper for a patient that has confidence in him, than the most learned and experienced that he has not acquaintance with. . . . I need nothing extraordinary when I am sick. I will not be beholden to my Bolus to do that for me which nature cannot; at the very beginning of my fevers and sicknesses that cast me down, whilst intire, and but a little disorder in my health, I reconcile myself to Almighty God by the last Christian offices, and find myself by doing so less oppressed and more easy, and have got, methinks, so much the better of my disease."

(2) During recent years, knowledge of the brain's structure

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and functions has widened. Neurology has made advances; nevertheless, differential diagnoses of nervous diseases are still difficult and far from being invariably certain, dogmatism and certainty being somewhat different. The line between functional and organic neuroses is not in practice to be drawn offhand, even by specialists. A late writer says: "Many of the minor symptoms of nervous disease and the more exact and elaborate methods employed in their diagnosis are unknown even to the average physician."

(3) It has been noticed, almost from immemorial time, that strong mental suggestion, fright, shock, imagination, hope, fear, superstition, faith and credulity, even so slight a thing as the presence of "the harmless necessary cat," are followed by marked and often astounding physical and psychical results, the chain of whose causation, physiological and psychological, cannot be certainly traced. Nor have these *sequelæ* been reduced in all cases to such a succession of cause and effect as to indicate unvarying laws and certainty of treatment. The same results have followed the vaticination of oracles, the curses of Voodoo queens, the laying on of royal hands, as well as the prayers and encouragement of priests, Pagan and Christian.

(4) The function of any priesthood embraces, within due limitations, ministering to the body as well as to the soul, feeding the hungry, comforting the bowed down, cheering the sick, and doing these things in such wise as to render unto Cæsar the things that are Cæsar's—obeying, that is to say, the laws of the State.

(5) It is a physician's duty to prove all things, so far as practicable; to widen observation and to practise what is believed to be true; bearing in mind that departure from approved methods, unjustified by the circumstances of the case, may subject him to liability for malpractice in case of ill-success, yet remembering that, as has been well said, all science is a voyage of exploration, that some must have courage, and that refusal to examine and, if approved, to adopt new theories is uncourageous and unscientific.

(6) Finally, there is abundance of Scriptural texts approving treatment of the sick by ministers of religion. More or less perverted, they have been cried from the house-tops by the Southcotts, Smiths, Eddys, Dowies, *et id omne genus*. In primitive times, priest and physician, both Pagan and Christian, were one.

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Temples were healing shrines. Under the Apostolic canons every church or congregation had a ministry of three women called "widows," two of whom persevered in prayer for the tempted. The other attended women in sickness; one of her qualifications being that she should not be given to much love of wine, so as to be sober and capable of performing the night service. From the tenth to the twelfth centuries the practice of physic and surgery was almost entirely carried on by the monks and clergy. Under Henry VIII, the Bishop of London and Dean of St. Paul's, with four of the faculty, were the medical examiners and licensers within a radius of seven miles of London; while, outside that mystic circle, the Bishop of the Diocese or his Vicar-General, with such of the faculty as he chose to call in, examined and licensed candidates.

The foregoing concessions are thus removed from argument; nor will it be contended that the church of to-day should take no part in caring for the sick. On the contrary, the maintenance of hospitals under church auspices is legitimate and laudable. That priest and pastor should visit and receive visits from the sick, and with discretion comfort them, is not to be disputed. The mental rest and solace of the penitent in the confessional, of the parishioner after counsel from minister or rector, are great and within the church's province to administer.

Indeed, the pastor's spiritual influence over the lives of the flock might be made with advantage, in the exercise of due discretion, greater than it is. There is a society of physicians and laymen in New York City, with branches throughout the country and allied associations in foreign lands, the American Society of Sanitary and Moral Prophylaxis, whose hope and aim are to find methods which, without sensationalism, shock to pudicity or harmful suggestion to innocence, may arrest measurably the spread of those diseases originating in vice that are said by eminent medical men to be a greater menace, a greater source of woes unnumbered, to the innocent than all others, not excluding tuberculosis. It was something of a revelation to Protestant members of this organization to hear from two fellow members belonging to the Society of Jesus to what extent their church, in its retreats, missions and societies or sodalities, seeks by discreet instruction and emphasis upon the need of pure living to safeguard the flock from evils that are veritable scourges of God—against which, more-

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over, right living, in which the clergy are directly interested, is the one certain prophylaxis. In this regard the Protestant communions seem less careful than that of the older church.

There is, too, a narrow field for what is called "pastoral medicine," which has nothing to do with mental or psychical healing, but contemplates the acquisition of such knowledge by the priest as will enable him to recognize the approach of dissolution and be prepared to administer the sacrament, and also to give the prophylactic advice last referred to, and be helpful in emergencies; but it by no means includes or contemplates anything like general or extended practice in any class of diseases. Such healing as is said to take place at special shrines, as at Lourdes, is a matter apart: and such healing is attributed by that church directly to divine interposition.

The attitude of the Protestant Church in our day to the various systems of healing already referred to has been one, if not of avowed discouragement, at least of abstinence from participating in or countenancing them. Putting aside, therefore, discussion of those systems, we come to consider the only method of systematically treating the sick for their cure by Protestant clergymen, on behalf of which there seems to be any disposition among men of light and leading to enlist the church's authority.

The American Emmanuel Movement is, of course, referred to. It differs radically from every system above noticed. Its clerical leaders are men of standing, of learning, sincerity, faith and cognizance of history's lessons. They are students of what has come to be called Psychotherapy. They have associated with them prominent physicians. They expressly disavow the contention that disease is only mental illusion and admit that it is due to physical causes and amenable to treatment by medicines and operative procedure; and, although they are hopefully awaiting proof of the cure of organic lesions by psychical processes, they at present propose to accept no cases of organic disease until after the patient's examination and a diagnosis of his case by competent medical men. Their treatment would seem to consist of conversation, counsel, suggestion, to some extent of hypnosis, encouragement, prayer, restoration of hope and finding work and support for those needing it. They propose to build up character and will. Such a movement deserves fair, courteous and deliberate attention.

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The general purpose of the American Emmanuel Movement, for there is one in England, although, apparently, not allied with that of Boston,—would seem to be the adoption in the main of natural methods, *i. e.*, those of Psychotherapy. The introduction to the book, "Religion and Medicine," the official exposition of the system, tells us that the work began in November, 1906, when Dr. James J. Putnam, Professor in the Harvard Medical School, presided at the preliminary meeting. We further learn that the practice of Emmanuelism,—if that term may be used for brevity,—has been confined "to that large group of maladies which are known to-day as functional nervous disorders," and that "viewed as an independent remedial agent the legitimate sphere of Psychotherapy is strictly limited. It is in the field of the functional neuroses that all its real victories have been won." While waiting for an authentic instance of recovery from organic disease through psychical means, and disbelieving, justifiably enough, that any man knows all that is to be known of the subject, the Emmanuelists consider themselves safe in accepting the overwhelming weight of scientific opinion, confining their practice "to a field in which it is known to be efficacious," and thus avoiding "the one valid objection which has ever been urged against psychotherapeutics, namely, its employment in diseases which obviously require physical interference, with the result that many patients have died through sheer neglect." Upon the topic under discussion they say: "As to the propriety of the church engaging in such work, we venture to say that the time is come when the church must enter more deeply into the personal lives of the people and make a freer use of the means modern science and the gospel of Christ place at her disposal if she is to continue even to hold her own." There will probably be no dissent from this statement of Dr. Worcester, the leader of the movement, "What will be the outcome of this movement no man can say."

Giving to Christian Science what to many will seem more than its due meed of praise, this exposition finds the success of that cult to lie in the following propositions: "No one ever yet accepted a form of religious faith which promised to do him nothing but harm," and "the more good any particular form of religion accomplishes, the more men will believe it, and the less good any particular church or religious institution does the less the faith it is able to inspire." By reason of the alleged facts

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that Christian Science makes men happy,— it has made some very miserable,—weans them from bad habits, cures disease, removes pain, and concerns itself with present practical and immediate results, this introduction finds Eddyism much superior "to preaching that is vague and impractical, and which deals largely with the distant future." The hypothesis is also ventured that the offer of a ten-dollar gold piece to each worshipper would fill the pews of Emmanuel regardless of the character of the preaching. That is, no doubt, an ideal condition for the pews to be in. The hypothesis may be sound in a thrifty community; but, after all, it is a speculation. M. Edmond About is said to have won a wager that after dinner he would offer to sell guineas at sixpence on Pall Mall with no takers; and the rector of a great New York church, during the recent panic, found no one, so it is said, to accept his offer to lend money without interest.

Certain articles by Dr. Putnam, who has been already referred to, and by Dr. Richard C. Cabot, appearing in an interesting publication, "Psychotherapy," which has given much space to the Emmanuel Movement, are particularly interesting both from their substance and the connection of their writers, both of the faculty of the Harvard Medical School, with the Emmanuel Movement. These physicians are more conservative than those who derive their impressions from the press realize. Dr. Cabot defines Psychotherapy or mind cure, as "the attempt to help the sick through mental, moral and spiritual methods," and he finds its chief characteristics to be the treatment of the entire personality, mental, moral, spiritual and physical, by the co-operation of the physician, minister and social worker; the last being, in many respects, "far more skilled than either the minister or the doctor." Discrediting the exaggerated statements as to hypnotism, he says: "Psychotherapy is not a cure-all; it is not going to reform all sinners or make artistic or scholarly success issue out of a few hypnotic séances. There is no good reason to suppose that Psychotherapy can by itself reform character or cure organic disease. It may aid in the reconstruction of character, and it can do a great deal toward curing disease of the type known to the physician as functional disease—disease, that is, in which there has been no wide-spread destruction of the organs or tissues of the body such as occurs in organic maladies. . . . Mental treatment does not cure cancer, Bright's disease, valvular heart disease, consumption

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or any of the stubborn long-standing enemies of that type." Again he says: "The majority of persons for whom Psychotherapy is valuable, and for whom it is apt to be attempted, belong to what has been called the 'over-suggestible' class—that is, those who are over-sensitive to the influence of others or of fortune in any form." He distinctly recognizes the danger of psychotherapeutic treatment of this class in "weakening the power of initiative, of weakening the power to paddle one's own canoe, to solve one's own problems with the help of such powers as we can win for ourselves through sober meditation or through prayer." Here may be read between the lines suggestion of a danger to which practising clergymen and their patients may be particularly exposed—namely, that the hysterical in soul may become dependent upon the healer, just as the hysterical sufferer in body relies upon his cane or crutch long after need for it has passed.

Dr. Cabot has been especially quoted because he is one of the Board of Physicians advisory to the Emmanuel clergy, who, recognizing that growing interest in the matter has resulted in such a multitude of calls as to overburden both the clergy and physicians originally concerned, depriving the latter of time in which to treat the cases, have promulgated rules adopted at Emmanuel in order to preserve and extend the co-operation of physician and minister. Those rules, in substance, are that no one shall be received for treatment at Emmanuel except after examination by and approval of a physician; nor referred to any specialist for diagnosis save with his own physician's consent. Under these rules, intended to make it rest wholly with the physician, and not with the clergy, whether patients shall be received at the church for treatment or referred to specialists, the movement is commended by the Advisory Board.*

Prominent physicians in New York have shown similar approval to the allied movement in St. Mark's Church of that city. But it would seem safe to say that medical opinion is by no means universally in favor of Emmanuelism.† Granting that under these strict rules providing for the rigid supervision of its practice by physicians, Emmanuelism would be safe and beneficial, there is a well-grounded fear that it may extend beyond such oversight.

* For the Board's statement of the rules see the "Boston Medical and Surgical Journal," January 21st, 1909.

† See Dr. Allan McLane Hamilton's article in THE NORTH AMERICAN REVIEW, February, 1909.

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"This criticism," says Dr. Coriat, one of the collaborators in the book, "Religion and Medicine," "is a valid one, for no greater harm could be done than to place such an important and delicate weapon as that of psychotherapeutics into the hands of untrained and unqualified men." He further says: "I do not believe—in fact, no neurologist believes—that all so-called functional nervous diseases can be treated by psychotherapeutics."* Dr. Putnam, who, as already said, presided at the preliminary meeting, finding himself reported in the lay press unqualifiedly as an advocate of the movement, has made a public statement in which he says: "While I have a high respect for the characters and purposes of its founders, I am convinced that the movement is a mistake. It is clear that clergymen, without adequate preparation, are assuming responsibilities of a kind that physicians are not considered qualified to assume until after years of study and of training. The question is whether the best interests of the community are really being served by this movement, and in my opinion this is not the case."†

In view of the position of Dr. Putnam and others who think as he does, it would seem reasonably clear that the church as an organization cannot wisely give its sanction to this experiment, even though we gladly concede to its leaders all sincerity, ability and high purpose, and recognize fully the advantages of close, sympathetic relation between the pastor and his flock.

In such movements there are dangers to the clergy, however learned or sincere they may be. Zeal for what seems to some—not to all—a new revelation or a rediscovery of the old, will eat many up. Man's nature is to love employment which yields palpable results. Sense of power is exhilarating. Ability to discriminate, observe and co-ordinate results, and to trace them to their causes is rare. The cure of the body is, probably, more fascinating than that of the soul. So absorbed did the spiritual practitioners of medicine during the Middle Ages become in their physical labor that no less than six Church Councils, including that of Tours in 1163, forbade or restricted medical and surgical practice. Errors of diagnosis and prognosis, even by experts, are, and of necessity must be, many and great. Were it not so, court calendars would be purged of many litigations involving personal

* See his letter in the "Boston Herald," of November 22nd, 1908.
† See his letter in the "Boston Herald," of November 20th, 1908.

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injuries. The authenticity of reported cures is equally doubtful. When an offer publicly made by the late Mr. Carroll Norton, Mrs. Eddy's publication committee in New York, to demonstrate by proof cures of cancer and locomotor ataxia by Christian Science, was accepted he produced as his "proofs" scrappy typewritten statements of unknown persons in remote parts of the country, such as are furnished abundantly in behalf of every proprietary nostrum, but without the least evidential value to either the trained scientist or the accurate lawyer. Suggestion works in more than one way. Chapter V of "Religion and Medicine" contains sketches by the Rev. Dr. Worcester of those functional neuroses that afford the Emmanuel Movement its victories, namely, neurasthenia, hysteria, psychasthenia, melancholia, hypochondria, chorea and mania. Perusal of them by the impressionable, especially by the young, would, to say the least, do no good. Recognizing the danger of spreading this sort of food before minds unfit to receive it, the sick are wisely advised to skip the chapter, which, therefore, one may presume, will be thumbed more diligently than any other. Bluebeard's caution did not deter Fatima from taking a shivery view of her predecessors. The Emmanuelists' practice is not confined, however, to these neuroses. It extends to other maladies, and to evil habits. Much success is said to have attended experiments by the clergy in putting sufferers from insomnia to sleep. This is in accord with tradition.

At the present moment, the American Emmanuelists are comparatively conservative in their professions. Not so the English Society, in whose report for 1906 it is said: "During the last year, for example, 1,086 treatments have been given to the suffering. The results have been most encouraging. Among the cases successfully treated may be mentioned one of cancer, in which case the specialist called in had given the sufferer only three months to live. By means of the laying on of hands in prayer a complete cure was effected. Again, there are cases of rupture, rheumatoid arthritis, locomotor ataxia, colitis, and numerous cases affecting directly the mental, moral and spiritual nature, in all of which a complete cure was brought about by the same means." This has a strangely familiar sound. The English Emmanuelists evidently think that they have found what the Bostonians are waiting for, authentic cures of organic disease by psychotherapeutic methods. Such cures have been found multitudinously

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before—if one is not unduly critical of "proofs." But, when Mr. Norton produced his "proofs" of the cure of cancer by Christian Science, he was offered five thousand dollars in cash if he would heal a case then under observation and of undoubted diagnosis. He prudently declined the undertaking.

The use of hypnotism in the Emmanuel treatment need not be discussed at length here, nor yet the theory that under hypnotic influence evil suggestion cannot be planted in pure minds. On the latter point authorities disagree; and it has been considered wise in some jurisdictions to confine hypnotic practice to medical men. Moreover, who shall decide what minds are immune? Dr. McComb says that hypnosis is used in only two per cent. of the cases at Emmanuel and under strict medical supervision; that is to say, in "cases of alcoholism and other deep-rooted moral perversions which resist all ordinary methods."* He resents with warmth Dr. Hamilton's statement† that he (Dr. McComb) is said to have stated "that ninety per cent. of the people can be hypnotized," and apparently is of opinion "that nobody outside of a lunatic asylum would ever make this suggestion." Nevertheless, Dr. Worcester, opposing the theory attributed by him to Charcot's school, that only the hysterical can be hypnotized, distinctly says: "On the contrary, all experienced practitioners in this field state that between ninety and ninety-five per cent. of all people on whom the experiment has been tried can be influenced hypnotically."‡ Again Dr. McComb says, with positiveness: "Finally, the clergymen who are at the head of the Emmanuel Movement do not practise medicine. . . . They are not qualified for such work, and therefore do not claim to perform it." Such an assertion cannot be made dogmatically. What constitutes practice of medicine in criminal prosecutions is a question of fact for a jury, depending largely upon the phraseology of the particular statute of the State wherein the prosecution is conducted. Christian Scientists do not use any therapeutic agents. Apparently the Emmanuelists do, for hypnosis and electricity, not to mention others, are so esteemed. Some statutes class as medical practitioners all persons attempting to heal the sick by any means. Under such a law a Christian Scientist was held to be a prac-

* THE NORTH AMERICAN REVIEW of March, 1909, p. 451.
† THE NORTH AMERICAN REVIEW of February, 1909, p. 230.
‡ "Religion and Medicine," p. 41.

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titioner of medicine and, not being licensed, properly convicted.* Very recently the Supreme Court of New York held that it would not establish a hard and fast rule as to what constitutes medical practice.†

Finally, the Emmanuelists disclaim any purpose of interfering with the religious beliefs of patients. But the mere fact that their treatment is administered by clergymen implies to the ordinary mind that the element of faith or divine interposition is a factor in the cure. It is not entirely clear from their literature to what extent they make faith in Christianity an element in their healing. But, certainly, the average patient who is cured at the church when the physicians have failed will, almost of necessity, infer that the tenets of the practising clergyman are an efficient, if not the efficient, factor in the result.

The sum of the whole matter seems to be that the church should not lend hastily and officially its great authority to the movement in its present stage. This is very far from saying that individual clergymen should not give to their parishioners all the spiritual cheer, comfort and hope of which they are capable in time of sickness, aid them in combating evil habits and render assistance to the poor and needy.

W. A. PURRINGTON.

* State *vs.* Buswell, 40 Neb., 158.
† People *vs.* Christian, 122 App. Div., 842.

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THE EXPERIMENT IN CONSTITUTIONAL GOVERNMENT IN CHINA.

BY O. F. WISNER, D.D., FORMER PRESIDENT OF THE CANTON CHRISTIAN COLLEGE, CANTON, CHINA.

THE Government of China is commonly regarded as one of the most absolute in existence. Moreover, by reason of its great antiquity and its reputation for conservatism, it has been supposed that Chinese Imperialism would never change. Consequently, it is probable that no announcement ever adorned more countenances with incredulous smiles than the one made early in 1907, that China was to have a constitutional government. Yet subsequent events have removed every reasonable doubt as to the *bona fide* intention of the central Government to share its power and responsibility with the people of the country.

From time immemorial, the Emperor, the Son of Heaven, has been in theory the embodiment of all political power in China. He stands in the relation of a father to his people, and is the sole representative among them of the authority of heaven. The people and their land belong to him. The only limitation to his absolute supremacy is that his rule should manifest a purpose to serve the best interests of the country. So long as he retains a heart loyal to the traditions and destiny of his race, his control of life and property is absolute. From the touch of his vermilion pen there is no appeal. But as the favored Son of Heaven his person is so sacred that he is under the necessity of living a secluded life. Deity veils itself from mortal view, and the dignity and glory of the sole representative on earth of the Unseen, it is easy to believe, can only be preserved by being protected from the contamination and familiarization of the public gaze. But this exalted seclusion must pay dearly for its sanctity. Royalty that is too holy to be seen and heard is also too remote to

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see and hear clearly what is transpiring. The actual exercise of that power which is theoretically unlimited must be delegated to wholly human agents who cannot be watched. The actual government of the country is practically in the hands of the Viceroys who rule the several provinces. These are men of affairs, who live in the open, and so dominate, as far as they are capable, the affairs of their provinces and often those of larger sections, sometimes even of the entire nation. To a lesser extent the same is true of the magistrates who, under each Viceroy, rule the districts into which each province is divided.

This is a picture of the absolute side of the Chinese Government. But alongside of this there has strangely coexisted a strong democratic element. This may have originally sprung out of the constitutional *laissez faire* disposition of the official classes, or it may be an expression of the national faith in the inviolate integrity of human nature when left to itself. At any rate, the magistrates do not trouble themselves with local affairs except where crimes are committed, taxes are to be raised, or a "squeeze" is to be extracted. The village elders are held responsible to the Government for the conduct of their citizens, and they have complete control in all purely local matters.

When once the Throne was convinced of the desperate condition of the country, as it evidently was by the events of 1900 and the subsequent settlement with the foreign Powers, it was natural that it should make a sincere effort to locate the cause of the nation's weakness, and to discover and apply the remedy. In 1906 the first imperial travelling commission was appointed to go abroad and to discover by personal investigations, conducted in the leading countries of Europe and in the United States, what is the real secret of the strength of those countries. The commission made its tour, and on its return reported that "It is the unanimous opinion of these commissioners that the backward condition of China is due in the main to the lack of confidence between the Throne and Ministry, on the one hand, and the masses of the people on the other."

On February 18th, 1907, an imperial decree was promulgated in which occurs this remarkable language:

> **"Foreign countries acquire wealth and power by granting constitutions to their people, together with the privilege of the ballot. Thus the interests of the Sovereign and his people are interlaced so that**

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what affects the one affects the other. It is necessary that we in China should, after careful investigation, prepare to imitate this constitutional type of government, and, while retaining the supreme control in the hands of the Throne, should entrust the administration of their own interests to the people themselves, through their chosen representatives."

The decree went on to point out that neither Government nor people were yet ready for inaugurating the constitutional government for the nation, and that too great haste would only mean so much labor lost. The Government's programme of preparation was announced to consist in a reform of the official system, careful and minute revision of the laws, promotion of universal education, regulation of the finances and sources of revenue, reorganization of the army, and the establishment of an efficient *gendarmerie* throughout the Empire. When these things should be effected, then would come the time for establishing *de facto* a constitutional government.

There was at least one man in China who took the language of this edict to mean something. Yuan Shih-kai, then Viceroy of Chih-li province, had the seat of his Government at Tientsin. He was a man of tremendous energy, of prompt action, and one of the most vigorous and influential representatives of reform in the country. He is the man who was sent to Shantung as Governor during the troublous times of 1900. He received on his arrival a delegation from the Boxers, and patiently listened to their schemes for sweeping the hated foreigner and his following completely and forever from the land, a thing which they could easily accomplish since by the secret magic of their order all their followers were made invulnerable. He honored the delegation with an invitation to dine in company with some of the leading gentry of the place. After dinner he invited these men to explain their methods fully to the assembled guests. Then he adjourned to the outer court. "Now, gentlemen," said he, "we will put this matter to a practical test." The Boxers found themselves suddenly confronted by a squad of soldiers. It was in vain they protested. The word of command was given, and the muskets disposed at a single discharge of the claims of the impostors, and from that moment the new Governor had the Boxer movement by the throat in his province.

At the re-establishment of Chinese authority at Peking, after the suppression of the Boxer uprising, Yuan Shih-kai was made

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Viceroy of Chih-li, which, as the province in which lie Peking and its busy port Tientsin, constitutes the most important viceroyalty in the Empire. His characteristic energy soon instituted important changes throughout the province, but more especially in Tientsin. Here he constructed macadamized roads, sewers, electric-light and telephone plants, laid water-works, and organized and built hospitals, schools, museums and industrial exhibits. He established sanitary and public-works departments, and organized a modern police force. In order that his district and petty officials might be informed in the art of governing well, and in order to keep personally in touch with the work of each of them, he held periodical conferences with various groups of them in Tientsin.

When the Imperial edict appeared ordering people and officials to prepare the way for a national representative form of government, Viceroy Yuan accepted it as meaning what it said, and, on the principle that the only way to do things is to do them, set about to see that the Imperial order was obeyed in the region whose rule had been entrusted to him. He reasoned that the only way in which the people of the Empire could be prepared for general self-government was by instituting carefully organized schemes of local self-government. He argued that people who could not conduct intelligently the affairs of their own neighborhood would never be equal to the larger and remoter responsibility of managing the affairs of a whole nation. He was convinced that the same qualities, knowledge, and experience which made men successful in caring for the public interests of their own localities would fit them for taking part in national affairs. And so he set to work educating his people and officials in the advantages, duties and methods of local self-government. After much preparatory work of instruction, he drew up a scheme of organization and finally, in the autumn of 1907, launched the thoroughly new experiment of municipal popular government in Tientsin. The municipality, as an organism, was unknown before in China. Sections of cities or parts of streets did unite for common protection against fire and thieves. But entire cities never cooperated in this way. Private interests were cared for, but all public interests were neglected. There was no such thing as a street grade, for example, because there was no one to establish it. There were no sewer systems, parks, water-works, street-

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improvement requirements, or public fire departments for the same reason. The people had not learned to combine for the management of such public utilities. Large cities knew no local government but that of the district magistrate. Nor was it the business of the district magistrate to establish and regulate institutions looking to the welfare of the city as a whole. He was there to see that the laws of the country were obeyed and the taxes paid. Devastating conflagrations might rage and destroy annually millions of dollars' worth of property; but, so long as it originated by accident, as was usually the case, a fire was no infringement of the law, and so did not fall within his jurisdiction. Moreover, by a very strictly enforced statute, every magistrate in China is an alien of the province in which he bears rule. No one is permitted to hold a civil Imperial appointment within the confines of his native province. This regulation is, of course, intended to prevent favoritism and corruption. But it makes it possible for a few unscrupulous but powerful gentry to manipulate the Government in their own interests by gaining the ear of a newly installed magistrate and preventing him from hearing the truth about the real needs of the locality. Things are made worse by the habit of Chinese officials of surrounding themselves with a host of writers and runners through whom they gather most of their information and execute their orders. These men are open to bribery and may keep the magistrate, unless he is a man of unusual penetration and energy, completely misinformed as to what is transpiring in the community.

To remedy this state of things and to prepare the people for a national representative government the experiment in municipal self-government was undertaken at Tientsin. The scheme was carefully wrought out. It is clear that in its elaboration the most approved Western usage was followed. Yet it is not a mere work of imitation. The authors borrowed freely from Western sources, but with evident intelligent adaptation to conditions in China. A Municipal Council of thirty members, who shall hold office two years, is provided for. These are chosen by a convention consisting of 135 delegates, who in turn are chosen in a general election. A voter must be a male, twenty-five years of age, and able to write his name, occupation and place of residence. He must also be either a native of Tientsin or have resided there five years and have 2,000 taels' worth of property.

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Opium-smokers, ex-convicts, bankrupts and persons insane or engaged in disreputable callings may not vote. Yamen runners and writers, and all religious leaders, including Buddhist and Taoist priests, are disqualified as voters and candidates. A candidate must be a qualified voter, and must be in addition a college graduate, or author of some work that has received official recognition, or have property, or have been a director of a school or some public enterprise, or be an ex-official, or have official rank, or the degree of Bachelor of Arts. The manner of conducting elections, of voting and of counting the votes is all very strictly regulated. The Council elects its own officers, and makes its own rules of procedure.

Great care is taken to secure the purity of the ballot. Persons desiring to vote are furnished on application with blank forms to be filled out and returned to the local officer of elections. These papers give information as to the eligibility of the applicant, his name, age, native place, residence, occupation, financial condition and achievements. From the data thus obtained the Election Board makes out lists of qualified voters and eligible candidates. The latter is published for the information of voters. The former is for the use of judges of election. Each person entitled to vote receives a certificate which he exchanges on election day at the place of voting for a blank official ballot to be used in voting. Ballots that are illegible, or that contain names of persons not eligible as candidates, or irrelevant matter, or more names than are to be voted on, or which are improperly made out, or in which a man votes for himself will not be counted. The ballot-boxes are opened and the ballots counted in public. Local election disputes are to be referred for settlement to the provincial Assembly when that shall have been organized (being meanwhile attended to by a bureau of self-government), with privilege of appeal to the Viceroy of the province.

The Council holds two regular annual sessions of thirty days each, which time is subject to extension if necessary. Extra sessions of fifteen days may be called by the chairman at his discretion, or when requested by the local magistrate or by one-third of the members of the Council. These meetings are open to the public, as a rule, but the public may be excluded at the request of the vice-chairman, the local magistrate, or ten members. The local magistrate may attend all meetings and express

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his views on all subjects under discussion, but he has no vote in the Council, and his retinue may not enter the Council chamber. Officers and members may not be held accountable for views expressed in debate. During the sessions members are free from arrest, except with the permission of the Council. Members may not vote on matters which personally concern either themselves or their near relatives. All decisions of the Council are by a concurrent vote of the Chairman and a majority of the members present. Its transactions are published unless some exceptional reason requires privacy. The members serve without salary.

The duties of the Council are deliberative and legislative. Its jurisdiction is over the entire district and the matters with which it is concerned are the organizing of subordinate self-governing bodies in the city, towns, and villages, the organization and control of schools, water-works, sanitary and fire departments, police, public works and markets. It also assesses the taxes, passes the budget, and has charge of public property and funds. The police force is under the joint control of the Council and the local magistrate. The Council may make requests of the local magistrate, may inquire into his acts and may even advocate the cause of private individuals before him. On the other hand, he or any citizen may make inquiries or suggestions as to the acts of the Council.

To provide for and carry out the decrees of the Council an Executive Board is created. The district magistrate is *ex officio* president of this Board. A vice-president and eight other members are chosen by ballot by the Council from its own number. These are salaried officers, and resign their position on the Council in order to serve on the Board. They are elected in two classes, two years apart, for a term of four years. Relatives within five generations or relatives by marriage may not serve together on the Board. Members of the local gentry, or persons who have been prominent in educational or public affairs, may attend the meetings of the Board as honorary members. They have the privilege of the floor in debate, but may not vote. The chief duties of the Board are to secure the execution of all ordinances of the Council, and to make such collections and expenditures as the Council shall direct. The Board appoints accountants and secretaries as occasion requires. It has the right of review touching all acts of the Council, may ask that body to reconsider any of

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its decisions, and may appeal from it to the provincial Council, and finally to the Viceroy. The local magistrate has a similar privilege with reference to the acts of the Board. The budget for each year is prepared by the Executive Board and is passed upon by the District Council. The Board submits an annual financial statement, together with all the treasurer's vouchers and account-books, to be inspected and audited by the Council. Funds appropriated to specific objects may not be diverted or transferred. There is a monthly examination of the treasurer's accounts and his balance in hand by the president and vice-president of the Board. Any shortage or irregularity discovered shall be made good by the responsible party, with the addition of twelve per cent. if the sum exceeds one hundred dollars. The defaulter's heirs are included in this responsibility.

Three kinds of penalties are provided for various derelictions from duty on the part of the officers of the popular government. (1) The right of suffrage may be withdrawn for a period not exceeding ten years. (2) Fines may be imposed. Light fines of from one to twenty dollars are for errors of judgment. Heavy fines of from twenty-one to one hundred dollars are inflicted for more aggravated offences. (3) Expulsion from office is applied in addition to the heavy fine in all cases of intentional misdemeanor. Receiving of a bribe in election is punishable with a heavy fine, expulsion from office, and being deprived of the right of voting or of being elected for not longer than ten years. These penalties are executed by the local magistrate. It is hoped that it will not be necessary to have recourse to imprisonment. For the present this penalty is omitted.

In inaugurating the experiment in local self-government in Tientsin a variety of expedients were resorted to in order to acquaint the people with the nature of the contemplated change. Picked men from different parts of the country were brought together and drilled for four months in the principles of constitutional government, and were then sent home to instruct their own people on the subject. Lectureships were established in various places where the aims, methods and benefits of representation were set forth. These lectures were published monthly in simple Mandarin colloquial for free distribution. Large placards were conspicuously posted setting forth the gist of the matter, also in colloquial Mandarin, so that they could be easily

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read. The people were told that local self-government means power, intelligence and efficiency in attending to public business. In one of these placards which is before the writer the advantages of self-government are thus enumerated: (1) It gives the people the power of concerted action for the public good. (2) It provides for very free exchange of views between the people and the magistrates. (3) It secures to each locality such legislation and control as are demanded by its peculiar conditions. (4) It assures the distribution of knowledge as to practical affairs of government among all the people, and so among the officials of the future. (5) By the fostering of public spirit the whole nation will be cemented together into a grand unit, and so national greatness will succeed to national weakness.

Such arguments addressed to the people of Tientsin and vicinity appear to have accomplished their purpose. The first primary, or popular election for choosing the 135 delegates to the district convention, was held very quietly and successfully on June 15th, 1907. This convention met on July 24th, and selected by ballot the thirty members of the first Municipal Council of Tientsin. On August 18th, this first popular assembly ever officially constituted in China convened, and organized by electing presiding and other officers. Their proceedings were conducted with decorum and under strict parliamentary rules.

The wider import of this event should be noted. This is only an experiment introduced by the authorities with the avowed intention of extending the system at an early day to the entire country. The Tientsin constitution is a model which is to be copied by other localities. The Throne has ordered the local authorities in Canton and several other important centres to introduce the same system, following the Tientsin pattern, and preliminary steps have been taken to carry out the order. It is proposed as rapidly as possible to bring whole provinces into line, granting to each a provincial constitution, and conducting its affairs through a representative assembly. And it is entirely within the field of reasonable hope that within a very few years the final goal will be reached,—that the entire country will be organized on a constitutional basis, and all public policies determined, public utilities controlled, and public interests conserved through the deliberations and enactments of a National Popular Assembly.

O. F Wisner.

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THE WAR AMENDMENTS.

BY ALBERT E. PILLSBURY.

In the January number of this Review appeared an article designed to show that the Fifteenth Amendment never became, is not and never has been a part of the Federal Constitution, or of any force or effect in the law of the land. And as the reasons there assigned for this novel, if not startling, proposition irresistibly draw after them the inference that the Thirteenth Amendment and parts, at least, of the Fourteenth are equally infirm, this result is accepted by the author of the article, who expresses the opinion that these also are a nullity. The conclusion is that a case should be made, "preferably, although not necessarily, in one of the five States which refused to accept this so-called Amendment," to bring the question before the Supreme Court of the United States.

Except for the highly respectable source from whence this proceeds, it could hardly be regarded as calling for serious notice or answer. As, however, the judicial standing of the author should qualify him to speak with some authority upon a question of Federal constitutional law, the importance of the subject will justify some attention to it.

The ground of the supposed invalidity of the Fifteenth Amendment should be quoted in its own terms. Disclaiming any purpose to attack the Amendment as not properly ratified by three-fourths of the States, the writer says:

> "The question which we would raise is of far graver import in its constitutional aspect. It is, that this so-called Fifteenth Amendment is not an *amendment*, but an *addition*, to the Constitution; and that, while *amendments* to the Constitution may be enacted by a vote of three-fourths of the States, in accordance with the provisions for amendment in Article V of the Constitution itself, yet an *addition* to the Constitution cannot be made, except by unanimous consent of all the States, which this Fifteenth Amendment never received."

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No judicial authority is cited for this distinction between an "addition" and an "amendment" to the Constitution, as there is none; indeed, it is declared that the question "is here raised for the first time," as undoubtedly it is. The article proceeds:

"Addition is something entirely new, and *not germane* to the original instrument: *amendment* is alteration or improvement of that which in some form is already there. The distinction between *addition* and *amendment* is fundamental, and is very clear to every one. No one will claim that they mean the same thing; and it would, therefore, be unnecessary to expend effort to show the difference between them."

This is taking a great deal for granted. It is familiar knowledge that the question of amending the Federal Constitution arose even before its adoption, and was perhaps the subject of more discussion while its ratification was pending before the States than the original instrument itself. No sooner was it adopted than the process of amendment began. Every one of the fifteen amendments has been the subject of the most searching examination in the courts, in Congress and in the country. The three war amendments have been subjected to a microscopic scrutiny that has taxed the intellectual resources of the bar and judiciary of the United States. Their validity has been challenged upon other grounds; and, as to the Fifteenth Amendment especially, legal ingenuity has been racked for the last twenty years to discover means of evading it or grounds upon which it could plausibly be resisted. But never before has the principle been revealed that an "addition" to the Constitution is not an "amendment" of it, and is of no force or effect unless tried by a parliamentary manual and found to be "germane."

The simplest answer to this argument, the one which lies nearest at hand, ought to be enough. Article V of the Constitution provides for amendment of it. What is "amendment"? The standard dictionaries appear to be agreed in defining it, in legal terminology, as a change or alteration, by way either of correction, excision or addition. There is every reason to believe that this has been the universally accepted meaning of that term, until it occurred to an ingenious mind that the Fifteenth Amendment is not an "amendment" because it is an "addition" to the Constitution.

The express limitations imposed upon Article V are of controlling significance in determining its scope or extent. The

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slavery interests insisted upon putting the slave-trade beyond reach of the amending power until 1808, with protection for slavery in respect of taxation. The smaller States demanded security against the greater by perpetual equality of power in the Senate. These concessions were made, and these limitations were expressly laid upon the provision for amendment. No other limitations were laid upon it; and, under the familiar rule of judicial construction that the expression of one thing excludes any other thing, no other limitations can be implied. There is not a word or hint of doubt, in Article V itself or in the debates of the Convention, that, saving the express limitations, the Article was intended to provide for any change or alteration in the Constitution which the people, as the source of all political power, should see fit to make. This, indeed, was clearly understood.

Further, the limitations of Article V are not limitations upon the *power* of the people to amend the Constitution. Article V is neither the source nor the measure of that power. The American principle of the sovereignty of the people, and of their right to institute, abolish or alter their government "in such form as to them shall seem most likely to effect their safety and happiness," asserted in the opening words of the Declaration of Independence and reasserted in some, if not all, of the State constitutions, was not only accepted by the framers of the Federal Constitution, but they regarded it as so fundamental that it did not need further expression. It is now judicially settled, as was reasonably evident from the beginning since it is plainly declared, that the Constitution was the act of "the people of the United States" as one people, undivided by State lines. By the Tenth Amendment, indeed by necessary intendment without it, the whole power of alteration of the Federal Government was reserved to the people, acting through their constitutional agencies. Article V is not a reservation of the inherent power of amendment, which did not need to be expressly reserved. It is a provision of certain methods for the orderly exercise of the power, and nothing more.

The Constitution of the United States is not to be interpreted by the rules which govern the acts of private parties; much less by the parliamentary code of a legislative body. The construction of the instrument of government must be as broad as its scope and operation are far-reaching. The assertion of this principle began in the earliest times, with Chief-Justice Marshall, who

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called attention to the sparing use of limiting terms in the Constitution, and pronounced a solemn admonition against a narrow or restrictive construction. "We must never forget," he said, "that it is a *constitution* we are expounding." This rule of construction long ago passed beyond possibility of dispute.

If the question whether the Fifteenth Amendment is "germane" to the Constitution could seriously be discussed, it would not be difficult to show that it is germane. If the Fourteenth Amendment is valid as part of the Constitution, the Fifteenth is clearly germane, as it is directly in line with and supplementary to the first and second clauses of the Fourteenth. But, apart from this, the question whether an amendment is germane to the instrument amended is not a question of the relation of words, but of purposes. What are the purposes of the Federal Constitution? They are authoritatively declared, in language so felicitous that it has become classic, in the preamble, where the people of the United States have said that their Constitution is established "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare and secure the blessings of liberty to ourselves and our posterity." Unless the amendment is so foreign to all these purposes that it can bear no legitimate relation to any of them, it is germane to the Constitution. And, if this question can be raised, it cannot be determined by any tribunal of less authority than the people themselves, in whom alone, acting through their representatives, is vested the power to amend the Constitution, to determine the occasion for amending it, and the character and scope of the amendment.

The only claim of anything in the nature of authority for the alleged distinction between an "amendment" which can and an "addition" which cannot be made to the Constitution, rests upon the title under which the first ten amendments were submitted to the people by the First Congress in 1789. It is said that they were "proposed for adoption under the title of 'additions and amendments' to the Constitution," so that "evidently it was recognized that there was a sharp distinction between *additions* and *amendments,* and that the one did not include the other."

If any argument is to be drawn from this title, it is a simple process to show that it is directly the other way. The joint resolution of Congress submitted twelve articles together, all "as

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Amendments to the Constitution of the United States," under the title or heading of "Articles in Addition to *and* Amendment of the Constitution of the United States." All of the articles being thus indiscriminately declared to be "in Addition to *and* Amendment of the Constitution," if it was intended to distinguish between some of them as "additions" and others as "amendments," where is the distinction to be found, or how is it to be known? Which of the articles are "additions," and which "amendments"? The entitling clause, far from affording any means of making such a distinction, is plainly inconsistent with it. It conclusively shows that the words "addition" and "amendment" were not used by way of distinction, but as synonymous and interchangeable terms. The only meaning which the heading will bear, whether regarded as the ordinary expression of common men, or critically, in its precise syntactical significance, is that all of the articles which were ratified are additions to, and all of them are amendments of, the Constitution, without distinction among them.

If the argument sought to be drawn from this title proves anything, it proves too much. If the authors of the amendments actually did recognize the distinction between "addition" and "amendment," and meant by "addition" to describe something different from "amendment," it follows that they actually regarded some of the articles, though we do not know which, as being *additions* to the Constitution, and *not amendments* of it. In other words, the Congress, and its constituents, alike regarded "additions" to the Constitution as being within the provision for amendment, if any such distinction ever occurred to them. The truth undoubtedly is that it never did occur to them. But those who assert the contrary may reasonably be required to accept the results of their own reasoning. There is, in fact, no reason to suppose that the title was drawn with any special care, or was designed to have any particular significance. It need only be added that these "additions" to the Constitution were made in precise conformity to the method and procedure prescribed by Article V; which shows, if anything can show, that "additions" to the Constitution were unquestioningly regarded as directly within the scope and purpose of that Article.

There are more conclusive answers to the question whether the Fathers of the Constitution believed that an "addition" to it is

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beyond the scope of the provision for amendment, and one of them is directly invited by the article under review in suggesting the query whether, if Hamilton or Madison had been asked to explain in the "Federalist" the scope of Article V and if anything could be added to the Constitution which three-fourths of the States might think proper, and had answered that inquiry in the affirmative, there would have been any chance of the adoption of the Constitution? A casual examination of the "Federalist" is enough to furnish the answer. In Number XLIX,* Madison says:

"As the people are the only legitimate fountain of power, and it is from them that the constitutional charter, under which the several branches of government hold their power, is derived; it seems strictly consonant to the republican theory to recur to the same original authority, not only whenever it may be necessary to *enlarge*, diminish or new-model the powers of government, but also whenever any one of the departments may commit encroachments on the chartered authorities of the others."

In Number LXXXV, Hamilton points out that it will be less difficult to obtain amendments of the Constitution after its adoption than to recast the work of the Convention before adoption; and he says:

"Nor, however difficult it may be supposed to unite two-thirds or three-fourths of the state legislatures in amendments which may affect local interests, can there be any room to apprehend any such difficulty in a union on points which are merely relative to the general liberty or security of the people. We may safely rely on the disposition of the state legislatures to erect barriers against the encroachments of the national authority."

Not only was the possibility, to Hamilton not unwelcome, of "encroachments of the national authority" plainly before him, but in this very passage he was meeting an argument based upon it, as we know from the history of the discussion. If he understood or believed that the Constitution permitted no extension of the Federal field of power by future amendment, this would have been the appropriate and conclusive answer, and it would have been Hamilton's answer.

The "Federalist" essays were in the hands of every statesman and publicist of the time, accepted then and ever since as the

* Numbered XLVIII in some editions.

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highest authority on the subject except the debates in the Convention itself. The debates had not then been given to the world. The views of Hamilton and Madison as expounded in the "Federalist" were the views of the Constitution under which it was accepted by the people. But we do not need to know what Hamilton or Madison thought of this question. We know what the people thought of it, and what they did about it. The question whether additions can be made to the Constitution was substantially settled in 1791, by the adoption of the first ten amendments.

It is without force to say that these additions were all in restraint of Federal power. If the Constitution can be altered, it can be altered in either direction. There is nothing in it, or in the contemporaneous discussion of it, or in any subsequent discussion or judicial exposition of it for one hundred and twenty years, to warrant the belief that the Federal powers cannot be extended by addition if the people see fit to extend them. In the controversy provoked by the three war amendments at the time of their adoption, every reason which legal or political ingenuity could conceive was arrayed against them, but not this reason. The war amendments have always been judicially recognized, and in some cases expressly declared, to be additions to the Constitution, in derogation of rights theretofore held by the States, as plainly they are. But, as the court says, "A State cannot disregard the limitations which the Federal Constitution has applied to her power. Her rights do not reach to that extent. . . . Every addition of power to the General Government involves a corresponding diminution of the governmental powers of the States." The Fifteenth Amendment has on several occasions been judicially enforced, and never, in the numerous cases where it is drawn in question, has there been intimated the remotest doubt of its validity.

Neither is it to the purpose to say that these ten amendments were ratified by all the States, or that "*addition* requires *unanimous* consent of the States, while *amendment* may be made and become effective by a vote of three-fourths of the States." It is admitted that the assent of three of the States does not appear in the Federal archives, and it was not needed. There is no ground in the Constitution for any distinction between the assent of three-fourths and unanimous assent. No such thing can be read out of it or into it. No method is expressly provided, even

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by unanimous action, for abrogation of the provisions of Article V that slavery is to have a certain protection, and that the States shall be equal in the Senate. Doubtless, they could be or could have been annulled by unanimous action of the States; but, if this should be done, plainly it would be an amendment of the Constitution, and not an addition to it. So the only case calling for unanimous consent which can arise out of any constitutional provision is not the case of an addition, but of an excision.

It is enough to say that the Constitution does not contemplate the unanimous consent of the States to anything, nor any contingency requiring such consent. The Constitution stands upon the rule of the majority, and every State which comes into the Federal Union is bound by the action of the constitutional majority, exactly as the individual citizen is bound by it in the ordinary operation of government. This was noticed by Hamilton in the Convention, and must have been understood then as it has been universally understood ever since.

It is said that, if additions can be made to the Constitution, it will be possible to overthrow the Federal system and establish a centralized despotism. This does not necessarily follow, but this very possibility was urged against Article V in the Convention, and that Article was adopted in the face of it. If it were a question of possibilities, it might well be asked: Would it be possible to believe that this acute and enlightened body of men, engaged as they were in creating a Federal government of real powers for want of which the Confederation had proved impotent and worthless, intended to put the people in such a position that they could never again extend its limits, to any extent or under any conditions, for all time to come, or to put them in the attitude of abdicating forever a substantial part of the political power of which they were the depositary, and that this was done without disclosing or indicating by a single word that it was being done? If this is true, the judgment which the world has pronounced upon the Convention of 1787 will have to be reversed.

We now know that it is not true. The debates in the Federal Convention are the final and conclusive evidence. The accepted canon of construction being that a constitution means what it was understood and intended to mean in its inception, we have only to turn to the Madison Papers to settle the question.

The discussions which led up to Article V, while comparatively

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brief, disclose enough for the purpose. Some members saw no necessity of any provision for amendment. To them Madison and Randolph replied that the plan was sure to be found defective, as the Confederation had been, and it was better to provide for amendment in a constitutional way than trust to chance or violence. The first reported draft provided for amendment on application to Congress by two-thirds of the States. Gerry objected that this would enable two-thirds of the States to make innovations which might altogether subvert the States. Hamilton did not object to this; it was no more objectionable to subject the whole people of the United States to the majority voice than the people of a State; but he opposed the draft as confining the initiative power to the States, which he thought should be extended also to the Congress. Sherman moved an amendment to this effect, but calling for the consent of all the States, which was opposed and three-fourths was substituted, *nem. con.* Mason objected to the draft finally reported by the Committee on Style as practically leaving the whole power in Congress, so that no "proper" amendment could ever be obtained if the Government should become oppressive. To meet this, Gouverneur Morris and Gerry proposed to require the Congress to call a convention whenever two-thirds of the States should apply for one, which was agreed to. Sherman now opposed any provision for amendment, as it might be fatal to particular States by abolishing them altogether or depriving them of an equal voice in the Senate; and he moved to strike out the whole Article. This was voted down; and, the smaller States being reassured by the proviso, moved by Morris, that no State should be deprived of its equal voice in the Senate, and the slavery interests having already been placated, the Article passed into its final form.

It thus appears that the danger of additions to the Federal power, even so great as possibly to subvert the States, was directly brought before the Convention by several of its most influential members. Their apprehensions were disregarded. The view of one party was that the amending power of the States was liable to be so exercised as to unduly cut down the Federal Government, and of the other, that the amending power of Congress was liable to be exercised to the detriment or even the overthrow of the States, and there were some who thought that this result might follow from any provision for amendment in any form. Never-

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theless, the Convention, with all these hazards in view, determined to give both Congress and the States the power to initiate amendments. It was done deliberately, upon the open and uncontradicted assumption that the amending Article was all-embracing and was subject to no limitations except those which were expressly imposed. By no word or sign is there any indication of a purpose to exclude future additions to the powers of the Federal Government from the scope of amendment, or of any understanding that they are excluded.

So much for the legal question. The article under review is unsparing in denunciation of the "so-called" Fifteenth Amendment. It is said to have been "the source and cause of untold calamity to our country"; it has "greatly injured our Aryan race and seriously threatened the stability of our Aryan institutions"; it was "conceived in iniquity and begotten to subserve grossly partisan purposes"; it is "a fanatical tenet," "read into the organic law so far as it was possible for the fanatics to read it," and "a perpetual source of irritation and annoyance to all true lovers of their country"; and, finally, "it is time that it should be wholly expunged from the statute-book by proper judicial construction."

The main purpose of the present article has already been fulfilled, but something is due to the truth of history. Such assertions as these cannot be justified, and they might, perhaps, be safely left to their own extravagance. Inasmuch as the Fifteenth Amendment has practically been nullified in the States most affected by it, and as Congress has yet manifested no disposition to enforce the representation clause of the Fourteenth, there is hardly occasion for the degree of excitement here betrayed over a question which, in this aspect, may be regarded as academic rather than practical. But there are reasons of vital importance for enforcing the war amendments, which sooner or later will have to be dealt with; and this not merely in the interest of the negro, but of the white man, in order to preserve an equal balance of political power between the States which have disfranchised the negro and the other States of the Union. By the process of disfranchisement that balance is now thrown so far off its equipoise that a vote cast in the former States much more than offsets, in the Federal Government, a vote cast in the latter. The question is not whether the negro shall be the equal of the

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white man, but whether every white man, in any State, shall be politically the equal of every other white man in any other State.

The Fifteenth Amendment can be enforced without danger of negro supremacy in any State of the Union. All that is needed, and all that the extremest political opinion of any part of the country ever has demanded, is an honest and impartial application to both races alike of such suffrage laws, howsoever exclusive, as any State may choose to adopt. The evils ascribed to the Fifteenth Amendment are not due in any degree to that source, but to the refusal of the people of the States most affected, who have no objection to the negro as a negro, to accept him under the Fourteenth Amendment as a citizen. There is every reason to believe that, if the Fourteenth Amendment had been fairly received and observed, the Fifteenth never would have been enacted or thought of.

The proceedings in the adoption of the Fifteenth Amendment are denounced as "grossly improper" and "disgraceful in the extreme," "a history of infamy and the most disgraceful page in our annals," and it is said that the States which were compelled to accept the so-called carpet-bag legislatures "at the point of the bayonet" may well be justified in repudiating their action. It is settled that alleged "coercion" is not judicially cognizable in such a case. But to this claim of a political or moral justification for repudiating the Fifteenth Amendment, it may be permissible to reply that the Federal Constitution as an entirety is at present in force in eleven States of the Union only "at the point of the bayonet," since its authority had to be re-established there by the military power of the United States. Unless this is a reason for annulling the whole Constitution, it does not appear to add anything to the case against the Fifteenth Amendment.

At this distance from the reconstruction period, and after long and systematic perversion of the facts, there is so much misapprehension or positive ignorance of the truth that it is worth recalling. It was within the power of the dominant party to control the reconstructed States, if this had been its purpose, without the aid of a negro vote. This was not its purpose. The Fourteenth Amendment went no farther than to make the negro a citizen, leaving him to be dealt with by the States as they might see fit; in the hope and belief that he would be fairly treated, and that some such scheme as President Lincoln proposed, of mod-

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erate and gradual extension of the suffrage by impartial tests to the best of the negro race, would preserve order under white supremacy and work out a peaceful and satisfactory solution of the problem, as it would have done if adopted. These liberal terms were flung back upon those who made them. The contemptuous rejection of the Fourteenth Amendment by all the States of the late Confederacy, accompanied by a system of legislation remanding the negro to servitude in fact if not in law, betrayed a purpose toward him which could not be indulged consistently with the honor or the safety of the country. It also raised the direct issue whether the terms of reconstruction should be prescribed by those lately in rebellion, or by those who had remained loyal to the Union. To this question there could be but one answer. This, and this alone, brought on the Fifteenth Amendment, which was, in simple truth, no more than the last necessary step in the process of suppressing rebellion. It does not confer the suffrage upon a single negro. It forbids discrimination against him as a negro, making suffrage to that extent impartial, but not universal. Every assault upon it is evidence of a desire and purpose to exclude the negro from the suffrage, whatever his character or qualifications, solely because of his color, while admitting to it every white man, however ignorant, worthless or depraved, and retaining, in open disregard of the Fourteenth Amendment, the whole share of political power of which the disfranchised negroes are despoiled.

The dream of annulling the Fifteenth Amendment by judicial decree will never be realized, but the political question will be a source of danger so long as it is left unsettled. If the people continue to ignore the injustice to the negro, they will not always tolerate the injustice to themselves. In the event of a Presidential election turning upon the thirty-odd electoral votes now unlawfully controlled by the white South, is there any assurance, or is it likely, that the party in power would surrender possession of the government to a claimant under such a title? A controversy so arising, precipitated under such conditions, would shake the Federal structure to its foundations. To allow the country to drift into such a situation is forbidden alike by patriotism and statesmanship.

A. E. PILLSBURY.

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DANGERS LURKING IN WOOD-PILES.

BY LOUIS WINDMULLER.

It is known that fires occur more frequently in New York City than in London; but that the value of property annually destroyed is tenfold greater here than it is abroad is not adequately appreciated. Losses by fire equal twenty-five cents *per capita* of the population in France and Germany, thirty cents in Great Britain and three dollars in this country, an annual aggregation of two hundred and fifty million dollars. Almost the whole of this amount is paid by the underwriters who have insured the property. The individuals who buy their policies should realize that premiums correspondingly high must reimburse for losses the companies who issue the policies. These premiums, being almost ten times greater here than they are in Europe, constitute an onerous tax on every person who is compelled to insure property to protect either himself or his creditors.

The chief cause for the immense difference in the cost of insurance in Europe and America is the inflammable material and flimsy composition of the greater part of our structures. Nine-tenths of all American dwellings continue to be built wholly or chiefly of timber, and wood is used in all other buildings to some extent. Early settlers found an abundance of the choicest qualities of this material when they cleared the virgin forests. They first learned to use it for log cabins, later for commodious houses. In the building of the ten million frame houses which exist in this country the supplies of the best timber have naturally been reduced, and as one species after another has become exhausted it has been replaced by cheaper, less suitable varieties. Brittle hemlock has superseded pine; resinous cypress is substituted for walnut; and these inferior grades are apt to be employed, before they are seasoned, in the composition of important structures.

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Many cots are still covered with shingles which may be ignited by a stray spark from a passing locomotive. In the twinkling of an eye the blaze spreads through hollow partitions and often dooms the hovel before the wretched tenants can save their lives.

In the erection of the solid buildings which rise within our cities little care has been taken in the selection of the requisite material, insufficient attention has been paid to the influence which the changes of temperature must cause, and in some cases the safety of the foundation itself has been disregarded. Our people were proud of the palatial warehouses in which Chicago merchants traded; yet these lofty stores, built of iron and limestone, considered impregnable to flames, burned like tinder when an upset candle ignited the loose straw of a stable and started, in October, 1871, a conflagration which threatened the Queen of our West with ruin. Within four-and-twenty hours property to the value of two hundred millions was consumed by flames. Seventy Insurance Companies failed, never again to resume.

A similar misfortune befell Boston thirteen months later. Seven hundred "fire-proof" buildings, with solid walls of granite and iron, were destroyed with the seventy millions of merchandise they contained; this fire completed the ruin of some insurers who had survived the Chicago disaster.

Almost all large cities in the Union have had on some scale a similar experience. Every inch of the Parker Building in New York City inspired confidence; it had an excellent reputation for safety; yet, when it took fire, several firemen were killed and property worth two millions was destroyed. The property which was destroyed in 1904 in Baltimore, amounting to seventy millions, was chiefly contained in old-fashioned "solid" brick houses.

The solidity of European buildings, of the German especially, has been demonstrated by their durability. It took six years, from 1616 to 1622, to erect the town hall of Nürnberg; and a substantial period of time was consumed in the construction there, and in all other "Hansa" towns, of those magnificent residences which, like the Fugger house in Augsburg, were built for the merchant princes of three hundred years ago. They remain to this day ornaments of their respective bailiwicks; some Guild-halls, like the "Hôtel des Brasseurs," in Brussels, continue to serve the purpose for which they were constructed.

Neither the guns nor the torches of French invaders could

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annihilate the walls of Heidelberg Castle; lightning-bolts failed to demolish the tower. The foundations of this "German Alhambra," not finished until 1618, were laid six hundred years ago. Ruins as they are and have been since the reign of Louis XIV, they are likely to remain, for years to come, eloquent, though silent, witnesses to the beauty and strength of German architecture. Educated in the "Gymnasium Carolinum" of Münster, which was founded a thousand years ago by Charlemagne, the writer had occasion to admire the solid walls which surround that ancient school and which show no sign of decay. These architectural models were observed by the writer in his younger days; later in life he had opportunities to admire the castles of France, the churches of Italy and the strongholds of England.

But in Germany the construction of buildings is considered a more responsible vocation than it is elsewhere; architects cannot obtain the requisite license until they have graduated from a German university; they must obey the laws of their respective communities, and are liable for the proper performance of their contractors' duties.

The "Baupolizei," as the German Building Department is called, first requires that there be submitted to it, for approval, the plans of a proposed structure, with a copy of the contractor's specifications. The height must conform to the width of the street, the architecture to surrounding styles. After the municipal arbiter has passed the plans they must be submitted to the Councillor of State. When he also has approved them ground for the foundation may be broken. From that day until the "roof is raised" it remains under constant surveillance. Every part must conform strictly to the regulations; inspectors visit the structure while it is in course of erection almost daily and test the strength of every beam and of every stanchion. Oak may not be replaced by chestnut, nor pine by basswood; the framework must be filled with plaster to make it permanently solid; no ornament which may prejudice safety is permissible. The state authorities must approve the final report of municipal inspectors before the owner may take possession of his property.

Germans build deliberately, generally for their own occupancy. We erect houses with ill-advised rapidity. As we live without repose, so we build without rest. "*In Hast ohne Rast.*"

A majority of our houses are erected to be sold at the first

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opportunity; when the owner has disposed of them their fate ceases to interest him. And the completion of buildings we erect for occupancy by ourselves or by prospective tenants is hastened so as to render them productive at the earliest moment.

In suburbs where persons of moderate means, who are tired of sunless tenements, seek shelter cruel land-sharks provide cottages which at small expense they have erected within a few weeks to sell to the first eager customer. Finding he cannot hire, the home-seeker is persuaded to buy one of these gaudy snuggeries on the instalment plan. After he has entered into possession, it does not take him long to discover that appearances have deceived him. The roof leaks, the glazed tiles cover a smoky chimney, the iron pipes which connect his porcelain bath-tub with the sewer are already perforated, and all the ornaments he admired concealed, through an abundance of paint and putty, a multitude of the faults which abound in inferior grades of timber.

When we turn to large buildings in large cities we find many sky-scrapers, from fifteen to twenty-five stories high, which consist of steel frames filled with concrete, and covered by an outside curtain of stone; they are erected in the most approved manner within twelve months from the laying of their corner-stones. This celerity is accomplished by means of three shifts of skilful workmen, who constantly labor with the utmost zeal and the best implements—during the night by artificial light—to make the timely surrender feasible. Contractors who complete the work earlier than agreed upon receive a premium; while those who remain in arrears are fined for every day's delay. Although the erection of these structures is pushed on with a rapidity repugnant to the mind of the old school of architects, they have successfully withstood every attack of the fiery elements; in cases when their contents have been cremated their presence became a bar to the progress of a conflagration. A building of this class, which was constructed under such conditions as I have described, survived the Baltimore ordeal of February, 1904. When older structures had to succumb, at least two of these structures bore the test of both flames and earthquake in San Francisco in 1906. It is confidently expected that if not all, almost all, will be found equally staunch during any future conflagration, even though a proper inspection during their construction may be impossible. In reconstructing Messina in Sicily, which was recently destroyed by

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an earthquake, several large buildings of American steel construction are being erected.

The code of building rules of the National Board of American Fire Underwriters, of 1899, which has been generally accepted by building departments, prescribes, with similar sanitary regulations, an inspection as rigid as prevails in Germany. But these laws are frequently disregarded by our inspectors.

Some officials in busy towns, like New York and Chicago, claim that they are underpaid and overburdened. A thorough inspection of houses built with unusual celerity is difficult; but many overseers neglect a duty they can perform, and some have unblushingly offered, in consideration of a bribe, to overlook deficiencies which they have discovered.

In many small cities or villages building departments are unknown; scant attention is paid to the safety of structures in other towns where they exist. Owners must rely for proper inspection on their own scrutiny or that of their architects. When asked to insure properties in such a locality careful underwriters must send, for their examination, special agents who, in the absence of regular fire-fighters, are often compelled to decline the risk.

There are in almost all our cities "Department Stores" which contain under a single roof an extensive assortment of valuable merchandise; and some large cities embrace districts where the values concentrated within a comparatively small compass are immense. In the "dry-goods" section of New York City, between Broadway and the Hudson River, values to the extent of five hundred million dollars are concentrated between Barclay and Bleecker streets.

Numerous appliances have been devised to protect these aggregated values against destruction. The pressure of some three hundred pounds of water which has been made available by direct connection of pumping-stations at the rivers, through movable water-towers, is amongst these appliances the most effective. But so far this protection applies to New York, Boston and Philadelphia only. It will probably be introduced into all large cities which enjoy the advantage of extended water fronts with an unlimited supply of water. Other contrivances which diminish the fire danger consist of stand-pipes, prescribed for buildings more than eighty-five feet high, of water-tanks, watchmen and of automatic sprinklers combined with automatic alarms.

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As all these measures lessen the fire risk, the premium for the insurance of property so protected is reduced, in proportion to the reduced risk, to about one-half of the ordinary premium.

The most practicable, at the same time the most expensive, of these measures is the automatic sprinkler equipment, which when properly installed pours water on the fire as soon as heat reaches the head of the device; it is combined with an alarm that gives firemen timely warning of the danger. This same appliance has reduced the cost of the mutual insurance of New England mills almost to the European standard. Mutual associations of property-owners in many other parts of the country have followed this example; they protect their property by the same devices and enjoy similar benefits. Although this protection would diminish the cost of insurance and the danger, some underwriters fail to call the attention of their clients to the advantage offered by this opportunity. They encourage the greater risk, because it is coupled with larger premiums; on the other hand, some short-sighted insurers are so penurious as to refuse the assumption of this wise expenditure.

The owners of a rope walk in Chelsea, Massachusetts, had refused to provide the sprinklers, without which the underwriters refused to insure their factory; they allowed their policies to lapse rather than incur the expense. The Standard Rope Company lost in consequence a hundred thousand dollars in the conflagration of 1908.

American docks are usually constructed of wood; often they are covered with combustible merchandise awaiting transportation. In June, 1900, some bales ignited on docks of the North German Lloyd in Hoboken, New Jersey; merchandise and docks were consumed by flames, and because neither tugs nor fire-boats could be found to haul them into the stream the steamers "Saale" and "Bremen" moored alongside were practically destroyed. Five millions of property and some lives were lost. Since then this company and other wealthy merchandise-carriers in Hoboken and Manhattan have rebuilt their docks of iron, have divided them into fire-proof compartments and decline to receive hazardous goods. But most of our docks continue to be inflammable.

The fire in East Boston, Massachusetts, in 1908, originated on the wooden wharves of the Boston and Albany Railroad Terminal, and destroyed several ships and warehouses. A similar fire, caus-

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ing the loss of half a million, recently occurred on a dock in Galveston, Texas.

The contents of many offices have been consumed when careless writers flung a burning cigarette into their paper-basket. The indifference of some smokers is amazing; a match heedlessly thrown on to a heap of rubbish, which had been allowed to accumulate in the cellar, ignited a fire that destroyed Adams Express Building in 1904.

The storage of combustible material should be rigorously restricted and transgressors punished, as they are in other civilized communities. By the admission, contrary to law, of combustible substances to Tarrants' old drug-shop on Greenwich Street, New York, the entire building was, by their explosion, annihilated in 1900, and the property of the company, as well as a large portion of the property of their neighbors, was destroyed. Almost all underwriters who had insured Tarrants' neighbors refused to pay losses caused by the explosion, and were sustained by the courts in this refusal.

A fire policy in France insures not alone the client who pays for it, but it covers the property of his neighbors as well, because in case of a fire he is compelled to pay his neighbors' loss. This risk, called *"Le risque du voisin,"* makes French householders very careful.

Underwriters make an effort to control electric apparatus, yet defective wires continue to threaten theatres and other buildings where electricity is largely used. The frequency of theatre fires demonstrates the inefficiency of electrical control. The conflagration of the Iroquois Theatre, likewise misrepresented as fire-proof, in Chicago, in December, 1903, which caused the death of some six hundred persons, originated in defective wiring.

Fireworks on the Fourth of July, bonfires on election days and Christmas trees at Yuletide are at their respective periods a menace. Petroleum when used to start the kitchen fire is a perpetual danger to households. Faulty construction of heaters has caused the destruction of many homes.

By constant vigilance and the imposition of severe penalties on malefactors, the number of incendiaries has been reduced.

In refusing to insure buildings they consider unsafe, or by exacting a prohibitive premium until they are safeguarded, our underwriters exercise a beneficent influence. But they have no

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jurisdiction over careless servants; they cannot control the vagaries of the American boy. Without the hearty co-operation of State and municipal authorities and public-spirited citizens our fire waste will continue, unless efforts to substitute fire-proof material for timber in our buildings become more generally successful. The successful use of reinforced concrete and terra-cotta for the filling of sky-scrapers should encourage a more extensive use of the same material in the construction of dwellings.

In hardness and durability concrete equals if it does not surpass the best stone. When timber became scarce, it was used as a substitute by the ancient Greeks and Romans. The continued existence of the ruins of their concrete temples erected several thousand years ago proves the strength of the substance.

The supply of good American cement and of concrete is inexhaustible. Large buildings have been erected of it in many cities and in some suburbs at a lower cost than that of other material which could have been obtained for them. This is especially true of the Pacific coast. Some of the finest villas were built of concrete in Buenos Ayres in Argentina. Concrete is supposed to be proof against moderate earthquakes. A great part of San Francisco has been rebuilt of reinforced concrete.

Passenger-barges of concrete ply on the rivers of France and Italy. Small dwellings of concrete have proven to be too expensive thus far, but Mr. Edison and others are making experiments which, if successful, will bring the cost of a good concrete suburban home within reach of the poor. Should they not succeed, American ingenuity must find some other substitute for timber. Without systematic efforts to cultivate suitable forest trees on a large scale, building timber will soon be too expensive for a poor man's home. Be it ever so humble, our laws protect him in the possession of his fireside. He is lord and master of his hut as much as the millionaire is of his castle, and he has the same right to repel the intrusion of unwelcome strangers. Why should we not help to safeguard him against the intrusion of a cruel element?

Our pretentious but combustible bungalows should be replaced by comfortable dwellings which will be impervious to fire as to water, and which will not be, like the old frame houses, in need of constant repairs.

LOUIS WINDMULLER.

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WILL ENGLISH BE THE INTERNATIONAL LANGUAGE?

BY ALBERT SCHINZ.

In commenting upon ex-President Roosevelt's attempt to reform the English language three years ago, the European press was inclined to imagine in that unexpected step an *arrière-pensée*—the idea of promoting the chances of English as the world's language. Whether Mr. Roosevelt entertained such an idea, we are unable to say; we know, however, that the chairman of the Simplified Spelling Board, Professor Brander Matthews, has such views: "If there is to be a world's language in the future," he said, in an article published some time ago, "it will be English. That much is certain." Assuming that such a thing as an international language would be desirable, he finds that English fulfils almost all the necessary requirements. Not only is it a fact that, thanks to its remarkable vitality and energy, the English race, "a masterful race," is fast gaining supremacy over the whole world, but it is also true that the English language will show most decided advantages when it is compared with other languages from the linguistic point of view. Its vocabulary is half Teutonic and half Latin, and it thus stands, so to speak, midway between the tongues of the two other great civilizing races; moreover, in its structure, English may be considered "the most advanced language, in that it has rid itself of most of its grammatical complexities, the declensions and the conjugations, the arbitrary genders and agreements which still encumber every other tongue." There is one thing, however, which is an actual drawback, and a very serious one, Professor Matthews declares, namely, its spelling.

It is doubtful whether the people who speak of English as if it were to be the international language of the future realize the

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different questions involved in this claim, and it seems worth while to examine Professor Matthews's view.

I.

Let us first turn to what we might call the political aspect of the problem. This is by far the most uncertain aspect of it, since no one knows, in considering political issues, what to-morrow may bring forth.

Much may be said in support of the idea that the English-speaking nations are destined to gain the leading position in modern civilization; we are also ready to admit that in that event English will stand a very good chance of spreading more and more widely.

A great many attempts, all more or less fanciful, have been made to estimate the respective positions of the civilized languages. That of Lewis Carnac, an Englishman, has been often quoted as one of the most trustworthy, and in 1899 he set forth as follows the results of his investigation:

English is used by 116 million people; Russian by 85 million; German by 80 million. If the probable increase is calculated at the average rate of the last four centuries, the end of the twentieth century will show the following figures: *English spoken by 640 million; Russian by 233 million; German by 210 million.*

Now, in the first place, nothing proves that speculations as to the future can be safely founded upon events of the past. In fact, it seems almost impossible to solve such problems as this by means of statistics. Suppose, for example, that a census had been taken at the end of the eighteenth century instead of the nineteenth, and that in the same way the four previous centuries had been adopted as a basis in calculating future growth, there is little doubt that the French language, which now does not rank even among the first three, would have come out as the world's language of the future. The German Schwab, indeed, who won the prize *ex æquo* with the famous Rivarol, in answering the questions as to the causes of the progress of the French language, a prize offered by the Berlin Academy in 1784, proposed French as the international language just as Professor Matthews advocates English. Then the French Revolution occurred and upset all prophecies.

After the revolutionary era is over, Russia may show itself

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unexpectedly stronger, at a point of development corresponding to that of the United States in 1776. While the Anglo-Saxons have perhaps reached the zenith of their civilization, the Slavs have still before them the full bloom of their power and energy. We must not forget that the last page of their epic literature, that literature which corresponds to "Chanson de Roland" and "Beowulf," was turned not much over one century ago. Moreover, the country has produced a remarkable number of great men, statesmen, writers, scholars, artists, and surely this harvest of strong personalities contains rich promise for the future.

But let us admit, for the sake of argument, that history will develop as suggested by the figures of Lewis Carnac. One thing, at least, is pretty certain—that on the day when English will threaten seriously the other languages, there will be a very strong resistance to it on the part of its rivals. In fact, actual resistance has already begun. The "Pangermanisten" in the Kaiser's empire are agitating the question of the spreading of the German language as well as of others which all aim at the Germanization of the world. Moreover, Germany does not stand alone, and in case of pressing need all those threatened would agree on common action against the common foe. As things are today, the 85 million Russians and the 80 million Germans alone would, as far as numbers are concerned, counterbalance the 116 million English. If we accept the figures given for the end of the twentieth century, namely, 640 millions as against 233 and 210 millions, the other nations joining the movement would again more than make up for the difference. The fear of being absorbed would lead to desperate fights. In fact, such alliances have already been hinted at and even openly proposed. The reader may recall the famous "Projet Chappelier," some six years ago, which was heartily endorsed by the great French linguist, Michel Bréal. Mr. Bréal set it forth in a remarkable article in the "*Revue de Paris*," in which he said:

"The question would be to make between France, England and the United States of America an agreement, not political, not commercial, but linguistic. According to this agreement, English and French would be, in the future, united in the educational institutions of the three countries. The learning of English would be made compulsory in French schools, and French would be made compulsory in England and North America; not only in colleges, but even in the primary schools of all fair-sized cities. The result of such an arrangement would soon be felt.

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The two languages, thus designated to serve as a means of communication between 180 million people, would acquire *per se* a great authority. The nations of Northern Europe would have little trouble regarding the learning of English, a language related to their own; and the people of Southern Europe would be as favorably situated with regard to French, which is a Latin language. In this way an irresistible current of opinion would be brought about, which ultimately would overbear all attempt to resist it."

We need not say how this project was received in Germany. And yet, on the third of August, 1906, Professor Diels, the Rector of the University of Berlin, delivered a great speech on the International Duties of Universities, in which he discarded first Esperanto, then Latin, but advocated a linguistic agreement—for scientific purposes only—between French, German and English.

Finally, even admitting that in the end all nations might find themselves in such a position that they would be morally forced to adopt English as the universal language, the time necessary for conquering all resistance is bound to be very long. Therefore, if men find that they really need such a language, they will hardly be willing to wait for the end of our political conflicts in order to solve the question and realize their dream. Some short cut will have to be found.

Such a remedy was proposed, as we all know, in the form of an artificial language, and while Professor Matthews may be perfectly right in his anticipations that the world is not going to adopt any such thing as Volapük or Esperanto, yet we must mention Esperanto here as one more rival which English will have to overcome; and perhaps not the least serious one. Abroad, many advocate the new language—without openly admitting it—chiefly in self-defence against English. And even in America and England, Esperanto is gaining ground surprisingly. Professor Matthews must be aware of the danger to his own solution, otherwise he would not devote a part of his article to fight the idea of an artificial language.

His arguments, however, cannot be said to be convincing; they are at times surprising. He says, for example: "Nothing is more certain than that the majority of mankind can never be made to learn an artificial language;" and with what reason does he support that "more certain"? We quote the author's own words: "History shows us that it is not by reason

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that a language spreads abroad and is spoken by increasing millions." We should say that history does not show anything of the kind; one could prove anything by reasoning in this fashion. History would show also that there is no instance of a nation having ever used a flying-machine as a regular means of transportation between different cities; none has done it because nobody so far has been able to construct an air-ship which will work properly. To infer from the fact that humanity did not adopt a bad air-ship, that it will discard also some suitable invention, is a rather questionable deduction.

Professor Matthews perhaps shares with a great many people the belief that artificial languages by the thousand have been offered to humanity. Nothing could be further removed from fact. Except a few adaptations of living languages, only *five* projects in all have been fully worked out, so as to be ready for use in case of acceptance by the world. The making of an artificial language is very different from the mere idea of making one; the mere idea is extremely common and as old at least as the story of the Tower of Babel. Diderot described exactly how the telephone would work more than a century before it was actually invented.

II.

We come now to the linguistic aspect of our problem. Here we stand on solid ground; nothing need be allowed for speculation based on data which might be all changed by to-morrow.

We will start from the statement of Professor Matthews which every one who has had any chance of considering with some care our chief national tongues will admit; namely, that "English is the most advanced language in its structure in that it has rid itself of most of the grammatical complexities, the declensions and the conjugations, the arbitrary genders and agreements which still encumber every other tongue." But, while admitting this, we may remark, on the other hand, that English has retained, after all, too many grammatical complexities, even some that are no longer found in other languages; such as the distinction between *who* and *which; his, her* and *its* (French, for instance, very well doing without them); and again, that the so-called simplifications are not always so admirable: you have in no other tongue such awkward and cumbersome constructions as *my beloved ones,* which would not be necessary if there was a way to distinguish the

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number in adjectives and participles. But, in the main and since we are concerned here only with languages slowly formed by natural (and therefore always more or less crooked) ways, we repeat that Professor Matthews's contention is perfectly just, and that, as compared with other living languages, English has rid itself of more useless elements than any other.

But is this really all, and is it enough?

Of course, if English is adopted as the international language, it must be taken as it is. Now Professor Matthews does not seem to be well aware of what the difficulties are which strangers have to overcome when they try to learn the language.

There exist in English an unusual number of conventionalities of speech which ought to be observed, if the true, specific spirit of the language is to be preserved. There are, *e. g.*, equivalent expressions like "he went to town on his horse," or "on horseback," or "he rode"; or again "he went in a carriage" or "he drove." Now, as was natural, English-speaking people employ the shorter expressions for common use, the longer ones being kept for the cases only when a more specific meaning must be conveyed. But a stranger will do just the reverse; he will, in a language which is not his own, use an expression which sounds natural to him, viz., "he went in a carriage," because this is a literal translation of a sentence existing in his own language, and he will naturally speak poor English. To master the innumerable idiomatical constructions and terms in English is for a stranger the chief difficulty in acquiring the tongue. A stranger is naturally puzzled when he comes to such a sentence as "he showed him to his room," because in all other languages people say, "he showed his room to him." Then there are such idiomatic expressions as "to dine some one," "to walk a horse."

So to rid a language of its grammatical complexities does not always mean to make it plainer and more consistent, and easier than others. Even if one can discover the meaning after some practice in linguistic gymnastics, it is impossible to credit a person with so much keenness that he will know at once when he can take such short cuts and when he cannot.

Idiomatic style is to be found in all languages, but there is surely more of it in English than anywhere else in our national tongues. This counterbalances to a great extent its apparent simplicity as pointed out by Professor Matthews. What is the

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use of doing away with grammatical complexities, if we are to replace them by most tyrannical conventionalities in style?*

But here comes something probably more surprising still to Professor Matthews and all those who share his view that spelling is the great stumbling-block that may prevent English from becoming the international language. Spelling is not the stumbling-block. In fact, it is just the contrary; it is the so-called erratic English spelling that tends to make the tongue easy to foreigners; reforming the present orthography would render English much harder to strangers, even though it might make it easier for natives. Observe that you will never find a foreigner who has had any trouble with English orthography. Occasionally, if he has a superficial mind, he may think that it is funny; for instance, when he sees a sound expressed in French by one sign *ch*, represented in English by nine different ones: *sh*ine, pen*si*on, *s*ugar, i*ss*ue, con*sc*ious, na*ti*on, so*ci*al, o*c*ean, *ch*arade.† But, whatever he may think of it, this spelling gives him no trouble. Observe further that, if one seldom sees foreigners making mistakes in English spelling, natives, on the contrary, are making them constantly. We know of a college of high standing where examinations in spelling are held even in the senior year, and sometimes conditions in this subject are never passed off. This apparent anomaly interests us; there is a very obvious reason for it. Read over the list of words just quoted from President Wheeler's article; every one of them is a foreign word, or let us rather say an international word. Except for some slight differences in *Schein, conscient* and the Arabic *sukkar,* they have even retained their native spelling in English. And, for the vocabulary at least, this is exactly what makes English easy to foreigners. Spell those words according to the universal system of orthog-

* The writer of this article is French by birth and can speak from experience in this matter. When he began to write in English and asked friends to go over his manuscripts, they would over and over again change a phrase which was grammatically and logically right, and replace it by some idiomatic expression. When asked what was the trouble with the first version, the almost invariable reply was: "Nothing; it is correct; but you cannot use it." Violent protestations, and explanations to the effect that indispensable nuances of thought were sacrificed on this altar of detestable formalism in speech, were of no avail. In several cases the original version was surreptitiously put back before mailing the manuscript, but some magazine editor, or even the printer, would quietly change it again. The fight was finally given up in despair.

† See President B. I. Wheeler's article on "Spelling Reform" in the "Outlook" of October 6th, 1906.

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raphy—*i. e.,* almost phonetically—they will no longer be recognized. In the French system, for instance, they would read, according to the dictionary thought the best by some English scientific authorities, namely, John Bellows's: *chaïne, pennchenne, chougue'r, ichyou, konnschess, néchenn, sochel, ôchenn, charaide.* Up to the last one, they will all at once become entirely new words to a stranger. English will thus become as difficult a language to learn as any other, since the spelling, thanks to which the stranger had at least something to rely upon, will be entirely changed. We know very well that the reformers say that they do not propose such radical transformations. *Now,* it is true, they do not—but later? If spelling reform means anything at all, it means the employment of phonetic spelling as far as possible; and as letters, in English, do not have fixed sounds—and cannot have because they have a different value when they apply to Teutonic words and when they apply to Latin words, as wine (German), and marine, (French); learn (German), and create (French), gird (German), and gibbet (French)—the possibility of a consistent reform would depend upon either one of these two conditions: Agree upon an English alphabet, radically different from the present one, on the system of one letter, one sound; or, spell English sounds with the uniform system of spelling that is in existence in other languages. Nobody ever proposed the first method and probably nobody ever will (although it would be the simpler); so there remains the second, which seems to have been adopted by the promoters of the spelling reform. We have used the term "uniform" to qualify the systems of spelling in European languages (except English); for, after all, the differences are very slight. Take, for instance, the word *nature,* spelled almost alike in French, German and English; it is easily recognizable when pronounced either in French or in German; but when an English person pronounces it, nothing in the sounds produced will remind a Frenchman or a German of the letters contained in the word. To make both pronunciation and spelling match for a stranger, you ought to spell your English word (according to Bellows) "*nétcheur,*" and in German something like "*neetscher.*" Thus, ultimately you are bound to come to something resembling our examples.

Let us draw our conclusion: If the spelling board wishes

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to simplify English orthography for English people, it may do a very laudable work; but if it proposes to make English more acceptable to strangers as an international language, it is entirely mistaken and had better stop its campaign at once.

III.

The difficulty of English for strangers does not lie in its orthography, but in its pronunciation. Abroad, people will constantly say that they can read and write English readily while unable to utter a word or to understand a word of the spoken language; as, of course, *vice versa,* a great many English and Americans can read and write French long before they can understand, or make themselves understood; the other languages are just as difficult for them to pronounce as English is for others. The only difference is that English stands alone with its system, or lack of system, of pronunciation. When a Frenchman knows how to write German, he is at the same time able to speak the language, if not beautifully, at least so as to be understood; the same holds for a German speaking French.

We have not seen anybody yet, either on the side of the reformers, or on that of their opponents, who has called attention to this difference between the spoken and the written language in English; and yet one realizes now the importance of it. The language that is difficult is the spoken language, while the written language remains easier than any other living language. Therefore, if you wish to use English as the world's language, you ought to adopt the form of the written, and not of the spoken language. In other words, you must *reform not the spelling, but the pronunciation* of English: *you must not try to spell English as it is pronounced, but to pronounce it as it is spelled.* You would thus keep the advantages of the language as set forth by Professor Matthews, and get rid of its drawbacks.*

IV.

There remains only one more point to examine. For the sake of argument let us suppose that the political and senti-

* Else one does not see anything but the still more radical step of creating a language, which, after all, as granted implicitly by Professor Matthews, might be even simpler than English. He says that English "has rid itself of *most* of its grammatical complexities"; we can very well conceive of one that would retain only the necessary grammatical elements and drop *all* complexities.

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mental reasons against making English the world's language do not exist; let us also ignore for a moment the linguistic difficulties which have just been discussed; even then, one may well be justified in asking whether it would be desirable that English should become the world's language, considering the question, of course, from a purely English standpoint.

No national idiom can expect to become international without undergoing some changes; and one can easily foresee that these changes will not be for good. Their general character can be expressed by the word *Neutralization*.

The individuality of a language, that which gives it its value—*i. e.*, its strength, its beauty, its originality—must be given up, for it must adapt itself to the common needs of a great many different nations situated in different parts of the world. As President Wheeler said, lately, the formation and transformation of a language are due, not so much to the necessity of expressing "what is within one," as of expressing "what will be intelligible to others." Thus, in order to keep in contact with all, to remain "intelligible" to all, English, if ever it came to serve as an international language, could not develop the qualities which are really its own. It would no longer be the strong efficient language we know, but a colorless, neutral sort of speech which might be very useful, like potatoes, but ugly to listen to and poor in expression. The specific qualities now proper to it would be diluted so that they would practically disappear.

Why is it that we like so much our national languages as spoken in past centuries? Why do old English, old German, old French appear so delightfully picturesque and graceful and crisp? Because they were more concentrated languages than our present forms. As time went on, and those who spoke these languages had to make themselves understood by a greater number of people, the process of neutralization began, and gradually became more accentuated, until now we are in our present condition, trying to remedy the lack of "relief" of modern speech by more or less witty "slang."

Consider the vocabulary. In the course of the last few centuries each national language has dropped some words, but has always taken in from abroad a great many more. Here is a table (taken from Brachet et Dussouchet) classifying the 32,000 words contained in the Dictionary of the French Academy:

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Of Latin stock	3,800
Of Teutonic origin	400
By derivation from primitive words, as *richard, enrichir,* from *riche, pauvrette* from *pauvre,* etc	7,800
Of foreign and scholarly origin	20,000
Total	32,000

Twenty thousand of foreign and of scholarly origin! Nearly two-thirds of the language that is still universally considered as one of the most beautiful on earth. And the proportion is growing larger, much larger since 1878, the date of the latest edition of the Dictionary. Linguists and artists are constantly publishing protests, although with little hope of success, as they are sensible enough to realize that all efforts will be of no avail until some international language is given to the world, one which will take care of a great part at least of those ugly "intruders."

Now, suppose this process of natural neutralization multiplied tenfold, twentyfold, an hundredfold, and you can imagine what will remain of the purity of the language that will have the very questionable honor of becoming the international language.

What a foolish race we are beholding to-day between those tongues that are trying to outdo each other on the world's market! Do the men who lead in this movement imagine that the world language of to-morrow is going to occupy the same prominent position taken by French when it was called the Universal Language? What a great delusion that would be! French was the universal language for the *élite,* and to serve as such was a great honor. But what people want to-day is a universal language for everybody, for the *masses,* for the *crowd* as well as for the educated classes. Indeed, in present circumstances, far from its being an honor for a nation to provide the world with an international language, it ought to be considered a most undesirable thing. Every country should do all in its power to avoid the disfigurement and flattening of its language by universal usage. Far from trying to give its tongue a chance to become universal, it should do all that is possible to prevent the threatened danger and charitably put the burden on some neighbor's shoulder. The French should favor the aspirations of the Germans in this respect, and English and Americans should agree to introduce Russian in all their schools rather than risk the pearls of their language.

ALBERT SCHINZ.

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THE CRISIS IN UNIONISM.

BY HENRY WHITE.

THOUGH unionism has won universal favor, the union itself has never been menaced by forces so formidable as threaten them at the present moment. Among these are not merely the united employing interests, but practically all other elements, if the result of the national election in which labor issues were dominant, the legal decisions on questions vital to the union and the sentiments of the press may be regarded as trustworthy indications of the situation. As an institution, the union is approved, but its power is distrusted; and this distrust has deepened into an antagonism which has dealt the union its severest blow.

A few years ago the labor-unions stood out as a power of great potency. A large part of the industrial world was under its sway and political managers competed for its favor. Mr. Roosevelt, when President, attested the importance of the unions by frequent conferences with their leaders; and, in a special message to Congress, he urged the passage of certain of their measures. When, in 1907, the United States Supreme Court handed down a decision in the Hatters case declaring labor-unions within the purview of the anti-trust laws, and, later, the District of Columbia Supreme Court, in the Bucks Stove and Range Company case, held boycotting to be a conspiracy, the unions sought by special legislation to annul these decisions. In addition, it was decided to defeat for re-election Congressmen not favorable to such bills. The fiasco which attended the first attempt of union labor to "make itself felt at the ballot-box" impelled the leaders to a bolder move.

Last summer the union chiefs waited upon the political party Conventions to demand the endorsement of the unions' radical programme. The deference shown them contrasted strangely with

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the treatment previously accorded to such committees, upon several of which committees the writer served. Never had union labor attempted so audacious a part, never was it conceded so exalted a place in the councils of the national parties. The Republican Convention went as far as it consistently could in the effort to meet the leaders' demands. The Democrats, with their hope staked on the labor vote, granted all that was practically asked. The Republican candidate, though not yielding on the cardinal issues, exhibited the keenest anxiety concerning the labor attitude, and sought to appease the opposition. Just before his nomination, Mr. Taft came to New York to defend his labor record in a speech at Cooper Union. The labor attitude alone placed the election in doubt.

The farcical showing of the influence of labor at the polls which again resulted, the judgment of the District of Columbia court sentencing the three heads of the American Federation of Labor to varying terms of imprisonment for contempt of an injunction, and the wide extension of the open shop have brought about a condition epoch-making in union history.

The political effacement of organized labor for the time being has weakened it industrially more than at first appears. The fear of the political influence of the union secured for it many legislative concessions and also control of administrative positions in the departments of Federal, State and Municipal government. One of the results was the unionizing of a considerable proportion of government work. During the past year the open-shop movement reached its climax. Trades which were union strongholds are now "open." The hatting industry, which by reason of the general use of the union label was thought to be impregnable to the employers' movement, is the latest to succumb. The hatters' union, though it received the concentrated support of the entire union influence, was disastrously beaten. In the shoe and clothing trades the union label has been largely discarded. With a view to counteracting this rapid decline in the use of the label, the American Federation has recently planned an extensive campaign through a separate bureau.

Very significant is the abandonment by the coal-miners' union of the demand for recognition, or at least its decision not to press the issue. The refusal by the Companies to meet the demand of the union made a repetition of the anthracite strike of seven years

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ago seem inevitable. Heretofore unions have preferred to risk their existence in the attempt to compel recognition in the belief that the union could not live without it.

The effect of the reverses of the unions has been virtually to put an end to those agencies of coercion which have so largely figured in their upbuilding; to force unionism upon a voluntary basis. If there is anything assured, it is that the union will never again be permitted to go back to its former régime. The employer will certainly not let up in his war on the closed shop—if anything, he will be encouraged into renewed activity; the judiciary will not change its attitude on the boycott and union intimidation generally; public opinion will not brook trespass by the unions upon social rights. The union can no more go back to its more recent practices than it can return to the time when it fought machinery, or to the days of the sympathetic strike. By the very energy with which the union pushed its way, resistance was provoked which will subside only when the irritation shall have been definitively removed. In this case, there is not merely the natural resistance of the employers, but also the force of public sentiment back of their resistance. How will the union meet this condition? Will it persist in its policy with the idea of prevailing eventually, or will it yield to the logic of events?

A glance at the labor press will afford a sufficient answer to this question. Certainly, there are in that press no evidences of a change of front nor of any realization of what the situation portends. If anything, its tone is more radical and defiant; so much so that for once the strict trade-unionist and the straight-out Socialist are in accord. Differences in methods are thrown aside in defence of common principles. On occasions of this kind it is seen how identical are the basic concepts of the two in respect to the function of capitalist and laborer.

The union leaders, trained in the rough-and-ready ways of the movement in its early stage, concerned only with speedy results, and oblivious of the social aspect of the union, are not inclined to put aside methods which have so far stood them in good stead, and the union members are not likely of their own volition to resist primitive impulses and look beyond their immediate objects.

The justification urged for the closed shop is that the workers cannot be trusted to stand by the union if free to join or not to join any shop in which they might find employment. For that

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reason it is contended that a shop must be either all union or all non-union, "all free or all slave." The compulsion of the non-unionist is accordingly unavoidable; it is necessary for his own good and for the good of his fellows. Deprived, therefore, of the power to drive into the ranks the unwilling or indifferent workers, the union must fall. In this is expressed the whole union position.

The truth of this plea, considering the conditions under which the union has been evolved, is not to be gainsaid. There are examples of unions which appear at first to prove the contrary, such as the Railroad Brotherhoods. Here, however, there are exceptional conditions and exceptional men. Founded upon voluntary membership, and with policies differing essentially from those of other unions, they hold aloof from other organizations. The hazardous nature of the calling and the high insurance benefits of the Brotherhoods are a strong inducement to seek membership.

But the incapacities and necessities of the union will not alter the attitude of outside elements. Certain of its methods having become obnoxious by reason of the extremes to which they have been pressed, they must be abandoned, or the union must face the alternative of a defensive struggle against even greater odds. Employers, who previously through motives of expediency submitted to union control, now are willing to submit to great loss rather than yield, and never have they been so unified. Judges who treated lightly breaches of the law by the unions are now inclined to regard them severely.

The plea of union advocates, that the union cannot live unless allowed to go on as it has been going, places the union in a sorry light. Without peaceful suasion as its guiding principle, the union is without a case.

A closer study of the union, however, will disclose another side. The experience of the writer has been that, when put upon their mettle, working-men will unite on their own account; a spirit of solidarity will be engendered among them which serves the union better than any amount of external pressure. In the many trades in which the open shop has been enforced, unionism does not seem to have materially suffered. The disruption which in some cases followed has been overcome by energetic effort. What is true of individuals is equally true of bodies of working-men.

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Their initiative is awakened and their possibilities developed by responsibility. When dependent upon outside support, the qualities of self-reliance, the great merit of unionism, remain dormant.

However severe the setback the union movement may experience, there is slight probability of unionism being destroyed. The habit of organization has been too deeply implanted, and its benefits have become too evident to warrant the wage-workers in forsaking so efficient a means for their betterment. Should the movement perchance be dismembered by reason of present difficulties, there can be no doubt that the spirit which gave it impulse will be asserted in other ways.

Working-men, like others, will do the easiest thing. It is easier for them to fight an invention than to adjust themselves to it; it is easier to cudgel the non-unionist than to persuade him. It is easier for the leaders to govern by intimidation and force, to control by privilege and monopoly, than by moral appeal and economic methods. Where improper means are not available efforts will be directed along other channels.

Unwholesome tendencies of unionism have always been corrected by antagonism, and by antagonism often ruthless and destructive. Its history is a story of checks and setbacks which, in each case, have forced it upon a broader course. The workers seeking their own ends are unable to look beyond their own ends; in asserting their own rights it is not easy for them to see where the rights of others begin. Antagonism has been a most valuable factor in the progress of the unions.

In the present crisis, we see another and a more telling demonstration of this truth. Will past experience be turned to account to put the union in harmony with the conditions of social welfare, or will the leaders persist in a reactionary policy and invite possibly the greatest of all disasters? At all events, it is clear that we are nearing the end of unionism by compulsion and probably the rise of a new unionism—the unionism which will rest exclusively upon merit. Perhaps this situation presages a new order of leadership, the superseding of the agitator by the labor statesman, of which England offers delectable examples; the type that will regard the union from its social aspect and from its possibilities as a promoter of industrial justice.

HENRY WHITE.

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NEW BOOKS REVIEWED.

"THE Book of the Courtier," practically forgotten for two and a half centuries, is once more revived. It had, through Sir Thomas Hoby's translation in 1561, much to do with the English ideal of a gentleman, an ideal somewhat contemptuously restated three hundred years later by Newman. "*Il Cortigiano*" and "The Idea of a University" illustrate excellently the differences between the Court of Urbino and that of Victoria, the age before the Reformation and that after the Oxford movement—a difference in essential nobility.

The Perfect Courtier was Castiglione *himself*, as his latest biographer points out;* his life was crammed with splendid events and momentous issues. He served great princes, two dukes of Urbino, the Marquis of Mantua and Clement VII. He visited England on a mission to the Order of the Garter, and he ended his life in Spain as Papal nuncio, trusted and well beloved by Charles V. He was the close friend of Raphael and Bembo, the intimate of the most distinguished connoisseurs and scholars of his day. Nor were his own gifts less than theirs. His letters are still full of life; his poetry, both Latin and Italian, keeps even in translation a delicate grace that is like fragrance.

In Mrs. Ady's "Life and Letters" his charm revives. She adds to sound learning a rich imagination and a quick sensibility to beauty and feeling; and beyond all this, the magic power of bringing to life whatever she lays a finger on. For a decade or more, she has wisely limited herself to a single country and period; so that in taking up this book her reader finds himself instantly among old friends with a thousand prepossessions in their favor and their author's. Yet never in her successive vol-

* "Baldassare Castiglione, the Perfect Courtier: His Life and Letters." By Julia Cartwright (Mrs. Ady). New York: Dutton & Company, 1908.

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umes has she repeated herself, but with each new book she has widened the sphere of interest, adding the Mantuan Court to the Milanese and now that of Urbino to the stage upon which her splendid figures play their parts. She knows her archives well, and publishes in these fine volumes many documents hitherto unedited. But it is far more to the purpose that by her shaping spirit of imagination she has recreated a world for us, touching us with sudden pity or living admiration and reviving, in his habit as he lived, the figure of the Perfect Courtier with his spotless loyalty, his statesmanlike wisdom, his dilettante accomplishments, infallible tact and indescribable grace and charm.

Every one must be grateful to John Lane for reprinting Dennistoun's "Dukes of Urbino."* This ample and admirable work had long been exceedingly costly and hard to come by; and but few scholars and no dilettante could afford to be without it. In the reprint one misses the quaint outline engravings, and the wealth of really beautiful process prints hardly makes up for a few choice copperplates. With less excuse, the present editor has made almost as many mistakes in his attributions of his pictures as the original connoisseur. Who, nowadays, but a few museum directors and Mr. Hutton, would call Caroto's "*Duchess Elizabetta*" a Mantegna or the Paolo Uccello "Profile of a Lady" a Piero della Francesca?

Quaint, captious, provincial in historic estimates where not frankly partisan, the original work is yet a monument not merely of learning, but of critical judgment and taste. James Dennistoun of Dennistoun, disapproving equally of Republican and ecclesiastical government, plainly felt that the only proper state was modelled on the Whig monarchy. So with irresistible enthusiasm he wrote the lives of four or five *condottieri* and tyrants, believing them in his heart to be somehow nearly akin to the border barons of the Scottish marches. Besides such complete histories of his leading figures as leave for those who are to follow him no occupation, save correction of trivial errors and accumulation of insignificant evidence, he offers all the title promises, and more—memoirs illustrating the arms, arts and literature of Italy.

* "Memoirs of the Dukes of Urbino, illustrating the Arms, Arts and Literature of Italy, 1440–1630." By James Dennistoun of Dennistoun. New edition, with notes by Edward Hutton. John Lane Company, 1909.

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It ill behooves the present editor to sneer at the taste and to fall foul of the historian; for without Dennistoun, Mr. Hutton would have been far to seek for his own "Cities of Umbria." On first hearing of the new edition one wondered how this sturdy Scotch Protestant of Protestants would accord with the soft, seductive philanderer with the Scarlet Lady. And, of a truth, the apologist of the Roman Church has not treated the Scotchman well. Like Wordsworth's robin with the butterfly, it was his business to love him and leave him alone. Nor is the ungraciousness redeemed by weight and seriousness. Barring the rather puerile interjections appended to the chapters on art, the annotations consist, for the most part, of references to Mr. Hutton's own book on Sigismondo Malatesta. The editor does not seem to be acquainted with the archives at first hand and in the original form and tongue, but limits himself to recent historical works of little interest to any but the scholar who would already be familiar with them.

One wishes the editor might have been more of a scholar or more of a connoisseur—some one, for choice, accustomed to ransacking libraries and transmuting the spoils into more precious metals. But on any terms, it is an excellent matter to have a reprint of the eternally delightful and serious Dennistoun.

For Mr. Horsburgh's book on "Lorenzo the Magnificent and Florence in Her Golden Age,"* there is a clear place and an excellent *raison d'être*. It is written, not primarily for scholars, but for the average cultivated reader who knows Italy and its history in a general way and is glad to know more. Without the cumbrous apparatus of bibliography and marginal reference, it offers a clear account of the historical situation within which Lorenzo moved, and a full and readable account of his surroundings and his policies. That the reader brings away from it rather a corrected knowledge of the great Medici than a sharp impression is not the fault of the author, unless it be accounted a fault to have no genius. Everything else he has—candor, knowledge, a large and wise judgment of the age and the types with which he is called to deal, and, more than all, an engaging freshness and naïveté of spirit. It is the fashion of the moment now to justify every-

* "Lorenzo the Magnificent and Florence in Her Golden Age." By E. S. Horsburgh. Putnam's Sons, 1908.

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thing in the past, the factious republics, the sanguinary tyrants, the scepticism of scholars and the effrontery of Popes. Lucretia Borgia has been completely rehabilitated and Sigismondo Malatesta whitewashed. But Mr. Horsburgh takes such pains with his evidence and his argument that one is willing to believe anything for the work's sake. The style, which it were unfair to call slipshod, is yet lacking in distinction, but perhaps it is all the happier medium for a temper so ingenuous, straightforward and sincere.

To one whose only association with the name of Winkworth has been "The Life and Sermons of Dr. John Tauler," the "*Theologia Germanica*" and the "*Lyra Germanica*" (both the latter now included in "The Golden Treasury" series), and who opens the "Memorials of Two Sisters"* expecting to find mystic communings and the meditations of recluses, a rude shock is already prepared by the two handsome portraits; the round, plump, humorous, early-Victorian type of countenance is no more closely related to the workaday world than the full, active and interesting lives of the two sisters. To turn back to life lived as it was before 1875 is always to get a large sense of leisure and thoroughness, of life carried on more or less as an orderly retail business rather than in the gross, wholesale manner of the present.

But how charming and how interesting it all is, and how one delights in hearing these sisters tell how their hearts bound at the thought of being able to get lessons in logic and moral philosophy, though they would have preferred grammar and composition. To be sure, their tutors were the Rev. William Gaskell and Dr. James Martineau. "Fancy how my heart jumped at the idea of Mr. Martineau teaching anything!" writes Susanna.

But learning was not everything. These young ladies dance the quadrille with Charles Dickens when he has just sent off the month's instalment of "David Copperfield," a task that occupied him the first fortnight of every month, he tells them. They comment upon Miss Mulock, who has just published her first novel and who lives in London with another lady friend; "and they have latch-keys to the front door, quite like men." These young ladies who translate German mysticism go to balls at seven o'clock

* "Memorials of Two Sisters: Susanna and Catherine Winkworth." Edited by Margaret J. Shaen. Longmans, Green & Co., 1908.

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in the evening and get home at four o'clock in the morning; they are on intimate terms with Mrs. Gaskell and watch the birth of each of her novels; they chaff Mr. Carlyle and argue with James Martineau, Maurice and Froude; they stand in the closest friendly relation to Baron Bünsen, and one of the most interesting pages is that of the long conversation between Catherine and Charlotte Brontë just before the latter's marriage, when she says of the prospective bridegroom: "I cannot conceal from myself that he is *not* intellectual; there are many places where he could not follow me intellectually," and again she repeats her fears that such a character, "while quite reliable, might be less amusing and interesting than a more impulsive and fickle one; it might be dull!" It is quite evident that the little lady who depicted such violent and absorbing passions had herself to be content with a very humdrum domesticity. Susanna and Catherine visit at the Froudes' house with Arthur Hugh Clough and Max Müller; they hear Thackeray deliver his lectures on the English Humorists; they know Frances Power Cobbe who is their married sister's intimate friend; they see Florence Nightingale and stay with Jenny Lind. The married sister, Mrs. Shaen, some of whose letters are included, is as deep in intellectual interests, as keen and as wise in judgments, as thorough a thinker, as either of the more famous sisters.

The note of the mystic rarely breaks through and only in slight allusions, as when Susanna writes: "The only thing in my favor is that my faith, such as it is, has not been moulded into form by educational and traditional influences or carried out by my own learning and logic, but cast from life's furnace at boiling heat." The letters exchanged between Susanna and the Rev. F. D. Maurice are valuable as evidence of the state of religious discussion of the time; it is the schism between Unitarianism and the Church, the latitudinarians and the conservatives, and gives one a startled sense of how the breach has widened since then. It is good to see that Susanna had thought her way, doubtless through her studies in Ruysbroeck, Boehme and Tauler to a conception of the spiritual solidarity of the race.

The volumes are made up of letters excellently selected and well put together, and give a charming backward glimpse into the home life of a half-century ago and the most interesting and stimulating society in England at that time.

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To those who are fond of literary gossip, Mr. Hall Caine's "Story"* must, in despite of defects, appeal. It is mainly an account of his long devotion to one of the greatest of English poets and painters and one of the unhappiest of geniuses, Dante Gabriel Rossetti. Had Mr. Caine published the Rossetti letters to himself, along with his memories of the great poet, it would have made an interesting document to add to the Rossetti literature which is already, owing to the unremitting industry of Mr. William Michael Rossetti, so voluminous. It is a gloomy, but an interesting, picture Mr. Caine gives of the great poet, dealing not so much with his genius as with his remorse over his wife's death, his losing fight with the drug habit, and his final release from its thraldom and comparatively happy death. The book is sown throughout with amusing anecdotes; and, from time to time, one comes upon some real bit of criticism by Rossetti which is worth preserving, as when he said to Mr. Caine: "You have too great a habit of speaking of a special octave, sestette or line. Conception, my boy, *Fundamental Brain Work,* that is what makes the difference in all art. Work your metal as much as you like, but first take care that it is gold and worth working. A Shakespearian sonnet is better than the most perfect in form, because Shakespeare wrote it." And again, comparing literary methods, he said:

"I am the reverse of Swinburne. For his method of production, inspiration is indeed the word. With me the case is different. I lie on the couch, the racked and tortured medium, never permitted an instant's relief until the thing in hand is finished." He points out, as the most characteristic utterance of Keats, the remark he made in a letter to Haydon: "I value more the privilege of seeing great things in loneliness than the fame of a prophet."

There is a most amusing anecdote of a visit from the ingenuous Mr. Longfellow who, unable to believe that Rossetti the painter and Rossetti the poet were one and the same man, said on leaving the house after paying a prolonged call: "I have been very glad to meet you, Mr. Rossetti, and I should like to have met your brother also. Pray tell him how much I admire his beautiful poem, 'The Blessed Damozel.'" This reminds one of the current anecdote, never perhaps put in print, of Mr. Longfellow's pre-

* "My Story." By Hall Caine. D. Appleton & Co., 1909.

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sentation at the Court of St. James's, and the frank, American, democratic feeling with which he shook the extended hand of the Sovereign Lady while he said, genially, "How do you do, Ma'am?"

The pictures of the Isle of Man at the beginning and the end of the volume are full of feeling and charm; and it is perhaps not Mr. Caine's own fault if, born and bred in such an atmosphere, he sees character melodramatically and is inclined to think the vital thing about Rossetti is that he took chloral and had delusions, and about Wilkie Collins that he drank laudanum. "My Story" is nowise an important book, but it is a readable and amusing book of very light literary gossip.

The industrious Mr. Lang is always at his happiest when he is holding a brief for some one; and, in the case of Jeanne d'Arc,* he has M. Anatole France's recent work on the same subject to refute. M. France, despite his gentleness, is always inclined to strip life of any supernatural mystery, glamour or dignity, in his desire to reduce all things to an ironic smile at life as it is. Mr. Lang is much nearer the heart of truth in his feeling that great deeds are not the outcome of mean and futile people.

The story of the wonderful maid, one of the truest mystics who have ever lived, and at last, quite recently beatified by the Catholic Church, of which she was so noble and loyal a daughter, is told with sympathy and partisan feeling by Mr. Lang. The author seems to have consulted the archives diligently; and yet there is little that is new in the book and not to be found in that of Mrs. Oliphant published in 1896 and in Mr. F. C. Lowell's Life. The two little miniatures of Jeanne are interesting, and the map of the Battle of Rouen might better have been borrowed from Mrs. Oliphant's book, where it is both fuller and clearer, than from Mr. Lowell's. Otherwise the book is as entertaining, as swift-moving and vivid as Mr. Lang's work always is.

Mrs. Hale, in her delightful and enthralling story,† has weighed the comparative merits of a husband and a career. What

* "The Maid of France." By Andrew Lang. Longmans, Green & Co., 1908.

† "The Actress." By Louise Closser Hale. New York: Harper & Brothers, 1909.

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reader could fail to rejoice that the husband wins? He is a thoroughly delightful and competent creature of the type that "at thirty-five has a few lines about the mouth that come from set jaws during business hours, shrewd eyes that can be kind and terrible, square shoulders that were put to the plough when a youngster, and the well-ordered, limited speech of a man who has learned the use of his tongue in a country college and the control of it in a city office." In such swift and definite lines we are presented to Aaron Adams; and, later, we find him a man with strength for two, a great yearning to take care of something, and a fixed idea that the actress is the person he is destined to take care of. The actress herself, however, who does character parts in light comedy with great success, is obsessed by the idea of the glory of a career, and by the haughty notion that she is quite able to take care of herself. Her theory is renounced only after large and rather nauseous doses of life's discipline have been administered. The insight given into stage life, the *camaraderie* of the player folk, the English country gentry, with their charms and their limitations, keeps the book alive with interest; and the sad little story of Mrs. Erskine-Waite, and the love-affairs of Hester and Frederika—"that big flopping girl!"—lend romance and humor. As well as an interesting and gay story, we have here, too, quite evidently, the sincere personal confession of one woman that, when all is said and done, love is really a more potent factor in happiness than gratified ambition and a career.

Once more Mr. William J. Locke has given us one of his slight, but very engrossing, tales.* As a novelist, he belongs to that increasing number who are skilful in telling a well-knit, slightly structured story in small compass. His characters are not very intimately related to real life, but he has a very special flair for such men as are touched by an angel's feather and take an angel's view of mortal frailties.

The character of Septimus is quaintly conceived; and, if it is not very human, it is all the more lovable for being so slightly tarred with reality. The tale is fluently and delightfully told; the literary man from London appears just often enough to voice the commentary, somewhat after the manner of a Greek chorus, and even the vulgar advertiser wins our sympathies by

* "Septimus." By William J. Locke. John Lane Company, 1909.

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disclosing a heart of gold beneath his enthusiasm for a quack skin-cure. As for Septimus himself, he cannot help but hold the hearts of all his readers.

Miss Sedgwick's tale* is interesting in conception and exquisitely carried out, even from the standpoint of those for whom "the play's the thing." The web of complication about the worldly woman, the selfish husband, the young novelist and the inexperienced, deep-hearted country girl who sins and gladly pays a penalty of twenty years of isolation and deprivation is well woven and holds the interest to the last. The character-drawing is subtle and skilful, the style and diction refined, and the point of view truthful and noble. If we were to find any fault at all, it would be that Miss Sedgwick, like so many of the authors of the day, makes too great concessions to the fashion for a slight structure. In this book the theme is profound enough to have made a great book, but no really great novel can be so condensed that we can run it through between lunch and tea. We shall never know and love the characters in these slim novels, as we did those of the great Victorian period. They were the friends of a lifetime; but these people, bowing themselves in and out of our acquaintance in an afternoon, are but chance callers, people infected by the press and rush of modern life who seem to run in and say, hurriedly: "Yes, this is my problem which I state to you as quickly as possible; life is full of difficulties and open questions and odd solutions; mine is just one of many. I hope I have not kept you too long; I have hurried as much as I could, and really there is no time for anything in life, anyhow. Good-by!" Of Miss Sedgwick's novel we can heartily say that we would have thought more highly of it if it had had an extra hundred and fifty pages.

* "Amabel Channice." By Anne Douglas Sedgwick. Houghton, Mifflin Co., 1908.

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WORLD-POLITICS.

LONDON: BERLIN: WASHINGTON.

LONDON, *April, 1909.*

NOT for a generation in time of peace have Parliament and the country been so profoundly moved as during the past few weeks. Ever since the debates on the Navy Estimates England, always an emotional country, has given herself up to a mood little short of panic and hysteria. We are used to periodic scares about the Navy, and, on the whole, it is well that from time to time we should indulge in them. They show, for one thing, that the people have thoroughly grasped the terms on which they maintain an independent national existence; and for another, since the propulsion towards reform always in England proceeds from below and is not, as in Germany, for instance, generated and imposed from above, they are a healthy token that the Government of the day will be kept up to the mark and will not, if the country can prevent it, be suffered to swerve from or to ignore its prime duty of preserving the supremacy of British sea power intact. But by the side of the present one, all previous scares seem meagre and half-hearted. That it is marred by much exaggeration and partisanship is, of course, inevitable. But that at the bottom of it there is a solid, rational and legitimate basis of apprehension cannot, I think, be disputed. Great Britain has sharply awakened to the fact that the days of her old easy ascendency at sea are well-nigh over; and that while her commitments remain world-wide and her interests are infinitely scattered, she is about to be challenged, for the first time in two hundred years, and in her own home waters, by a Power perhaps not so wealthy as herself, perhaps not so thoroughly imbued with the maritime spirit, but more patient, far more efficient and equally energetic and resolute.

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That is a situation calculated, and not unnaturally, to rasp on English nerves. The last six months have pretty conclusively shown that in the Europe of to-day, in spite of Peace Conferences, a growing sense of international solidarity and the increasing sensitiveness of mankind, might is still right. Men feel that international good faith, public law, the sanctity of obligations are at the mercy of brute strength, that we are moving towards an age of unsheathed ambitions, and that the chances of survival favor those Powers, and those only, that are most vigilant and most effectively armed. In Great Britain, at any rate, there is an uneasy consciousness that the conditions of the coming time are likely to prove peculiarly agreeable to the character and temperament of Germany. The German Empire was not created by pacificators or by men who prated of international brotherhood. It was the product of war, spoliation and a diplomacy anything but remarkable for its squeamishness. Are those processes, Englishmen ask themselves, at an end? Has Germany reached the full limit of her expansion? Is it inconceivable that Austria, Belgium or Holland may eventually share the fate of Silesia and Alsace-Lorraine? Looking to Germany's past and to her present needs, strength and ambitions, remembering that she first ingeniously isolated and then struck down Denmark, Austria and France in succession, and bearing in mind that she is still very largely an imprisoned Empire and under a constant temptation to burst her bonds, would anybody care to hazard the prophecy that the era of German growth is definitely closed? It is entirely natural that Great Britain should watch with a certain nervousness the future course of a Power that has shown such masterfulness in war and policy. In the past eight-and-thirty years, although she has kept the peace, Germany has done little to dissipate that nervousness. She is still the centre of disturbance and suspicion on the Continent of Europe. Her diplomacy is universally distrusted. We have seen her within the last few years relentlessly browbeating France. We have seen her within the last few weeks forcing Russia under a direct or implied threat of war to submit to a peculiarly poignant humiliation. It is an axiom of European history that whenever any single nation reaches an undue height of predominance and control, the other nations combine by instinct against her. No one can positively say that Germany will do nothing to arouse that instinct, or that, like

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Spain and France before her, she will not aspire to a political and military ascendency that her neighbors will some day be at one in regarding as intolerable. The prospect is admittedly a remote one; the Pan-German dream may remain forever unrealized; and to imagine Great Britain involved in a war for the protection of Belgium or Holland against German aggression is to take a long look ahead. But the contingency, though distant, is not impossible. It has to be reckoned with.

If therefore force, nakedly and vigorously applied, is to be the controlling factor of the coming time, Great Britain realizes that Germany is peculiarly well situated for making the most of her opportunities. She realizes, also, that if Great Britain is to continue to play her part in history she must be prepared to meet force with force. It is on her fleet alone that Great Britain depends for her security and for her usefulness to her friends and allies. Anything that threatens her maritime ascendency touches her at an absolutely vital spot and instantly challenges her very existence as an independent nation. To Germany, for instance, sea power is no more than a useful walking-stick; to us in England it is a crutch without which we fall. If, therefore, Great Britain and Germany are to be pitted against one another in a tense naval competition, it follows that the two Powers are not playing for equal stakes. A victory for Great Britain would mean no more than that she would continue to hold what she is holding now. A victory for Germany, on the other hand, would mean the blotting out of England from the map of Europe, her conversion into a German province, and the acquisition by Germany of vast portions of her Empire. Nobody in Great Britain disputes Germany's moral right to accumulate as large a naval force as she pleases. It is recognized that she is as fully entitled to have a big fleet as we are to have a bigger one. But she cannot expect us to welcome the entrance into the arena of a new, virile and supremely capable rival, operating almost within sight of our shores, and forcing upon us the necessity of guarding against a new possibility of peril. The menace of the German Navy, in British eyes, is not that it will be as powerful as our own, but that a turn of the diplomatic wheel may leave the balance of European sea power in German hands.

But, besides all this, the British people, or most of them, at any rate, are persuaded that what they possess—colonies, naval

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supremacy, a world-wide carrying trade—is precisely what Germany is ambitious to obtain. They do not quarrel with Germany's ambition, but they are determined that it shall not be realized at their expense. Then, again, it has become impossible for them to ignore the fact that during the past fifteen years, beginning with the coalition against Japan and going on to the Krüger telegram, the attitude of the German nation throughout the Boer war, the Chinese crisis, the attack upon the Anglo-French *entente,* and many more recent incidents, German policy and sentiment have been pronouncedly anti-British. That may, of course, be a mistaken inference, but very few Englishmen believe it is. They are penetrated with the conviction that Germany is always on the watch to do them an ill turn. And in addition to these grounds of apprehension, the British people are always obsessed by a consciousness of their military deficiencies. They do not actually anticipate a German invasion, but they are unable to convince themselves that the Germans are morally incapable of such an adventure, and they observe that if the German navy had been deliberately fashioned for that end, it would not greatly differ in type and forms of construction and design from what it is. Moreover, the methods of the German Navy League and the arguments which it employs have not been lost upon this country. Something far more positive than a few mellifluous notes on Prince Bülow's pipe is needed to persuade Englishmen that the popular motive power behind the propaganda of the German Navy League is not largely derived from Anglophobia.

I have reviewed the general situation at this length in order to make clear in what respects it has been intensified by the revelations of the recent debates in the House of Commons. Those debates established, first, that Germany had accelerated her shipbuilding programme by laying down or collecting materials and constructing armaments for three or four—the Secretary of the Navy admitted he did not know which—"Dreadnoughts" in 1908 that belonged to the present year's programme; secondly, that Germany can build these leviathans as fast as we can, if not faster; thirdly, that she has created a capacity for constructing guns, gun-mountings, turrets and other essentials of the kind that equals, if it does not exceed, the resources of all the British firms and yards put together; and fourthly, assuming that Germany again accelerated her programme, she would have thirteen

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"Dreadnoughts" to Great Britain's fourteen in August, 1911, and seventeen to Great Britain's twenty in April, 1912. These figures, I should add, are disputed, and the dispute has led to endless confusion. What I have set down is the Government's calculation, and it is based on the assumption that Germany in April, 1912, will possess four more "Dreadnoughts" than those provided for in the German Navy Bill. The Opposition in the House of Commons maintain that this is an under-estimate; that Germany, having in 1908 forestalled four ships, may repeat the performance in 1909; and that in April, 1912, she may have in commission not seventeen "Dreadnoughts," but twenty-one—that is, one more than Great Britain. The German Government, however, declares that both estimates are mistaken, that though three or four ships have been taken in hand earlier than was anticipated they will not be finished any the sooner, and that there is no further intention of anticipating the Estimates.

In any case the margin of British superiority in "Dreadnoughts" will be a small one, a smaller one, the country thinks, than it should be; and there has been an infinity of talk about "danger periods" in this year and in that. But as a matter of fact, up to 1912, and for three or four years beyond it, Great Britain has nothing to fear from a single-handed conflict with the German navy. The mistake of the alarmists lies in assuming that "Dreadnoughts," and "Dreadnoughts" alone, count. In the future that assumption will doubtless hold good, but for the present it is unwarrantable. The main strength of the British navy now and for several years to come must lie in the pre-"Dreadnought" ships, and in these Great Britain is incontestably supreme. In April, 1912, which the scaremongers have fixed upon as a vitally critical moment, Great Britain will have forty first-class battleships, all under twenty years of age—a force more than double that of Germany's and superior, indeed, to that of any two nations in the world. The real trouble is, of course, that these ships will gradually become obsolete and will be supplanted by "Dreadnoughts" of an improved type; that the invention of the "Dreadnought" placed all Powers more or less on an equality in building them; and that Great Britain in consequence will find it difficult, if not impossible, to maintain the same relative superiority in the new type of ship that she had achieved in the old. Great Britain's new position is that within a few hours' steaming

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of her shores, the greatest military Power in the world has mapped out a ship-building programme which will result in a Navy more formidable than any that now exists; that Great Britain will practically have to rebuild her entire fleet to hold her own with this new competitor; and that her margin of superiority over Germany in "Dreadnoughts"—a meagre one, in any case, for a Power whose very existence depends on an unassailable supremacy at sea—may in certain contingencies be wiped out altogether.

The realization of all this deeply moved the country, as it well might; and its apprehensions were greatly increased by the way in which the Government met the crisis. Mr. Asquith's first step was to call the chief British engineers, armament manufacturers and ship-builders into conference, and to encourage them to enlarge their plants, so that British superiority in construction, temporarily lost, might be swiftly regained. Nobody quarrels with this. Everybody, on the contrary, applauds it as a necessary countermove. In the matter of the Navy Estimates, however, as well as with the form in which they were presented to Parliament, there has been the gravest dissatisfaction—a dissatisfaction which still exists and which is gathering an overwhelming momentum. The Government proposed to lay down two "Dreadnoughts" in July and two more in November. They also announced that it might be necessary to prepare for the rapid construction of four more ships to be begun in the following financial year, and to be completed by March, 1912. To do this effectively they asked Parliament for such powers as would enable them to arrange in the current year for the ordering, collection and supply of materials for guns, gun-mountings, armor, machinery and so on. There were thus to be four ships for certain and four other ships whose construction was contingent—contingent, as Mr. Asquith explained, upon whether Germany continued to accelerate her programme. The Opposition at once demanded a pledge that the four contingent ships would be built. Mr. Asquith refused to commit himself, and the result was the moving of a vote of censure. But there can be little question that the four extra ships will be built. The tide of national feeling is running too strong for any Government to resist it, and the splendid rally of the colonies to the side of the Mother Country has added fuel to the determination to force the Ministry to yield.

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BERLIN, *April, 1909.*

THE visit of the King and Queen of England to Berlin at the beginning of February was generally welcomed by the public both in England and in Germany. Their Majesties were received with unbounded cordiality by the Emperor William and the German Empress, and by every section of the German people. The King in particular endeared himself to the popular imagination by breaking with secular traditions, and accepting an invitation to be the guest of the Berlin Municipality at the Town Hall. The absence of historic complications, and the manifestation of a friendlier feeling between the two nations, assured the success of the Royal visit. But the very absence, in the case of Great Britain and Germany, of such long-standing differences as in past years embittered British relations with France and Russia, could not but serve as a warning against the formation of extravagant hopes. No immediate and tangible result was expected, and recent events have completely justified this reserve. For a time, it is true, there seemed to be reason to believe that the essential character of British policy, based, as it is, not on domination, but on the balance of power, was receiving tardy but welcome recognition in Berlin. The conclusion of a Franco-German Agreement with regard to Morocco was hailed as a sign that this process of recognition had set in. After five years of pin-pricks and international alarms Germany explicitly acknowledged the legitimacy of French political interests in Morocco, and disclaimed for herself all but commercial interests of the most harmless kind. But quite apart from the "audacious inconsistency" of this *volte face,* the suddenness with which it was accomplished was calculated to excite the suspicion that, after all, German motives were not so transparent as they at first sight appeared. Their true character was to be gradually revealed.

When, last October, Austria-Hungary, with total disregard of treaty obligations and the public law of Europe, laid hands upon Bosnia and Herzegovina, opinion in Germany, in the official as well as in the unofficial world, made show of a certain embarrassment. Germany, said Prince von Bülow, will support her ally as far as possible. Further the Imperial Chancellor would not commit himself. This attitude of mind, however, may have been professed merely as a pretext. The later development of the situation, and, in particular, the more recent phases of German

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policy, are now becoming more accurately known. Roused by the exertions of Great Britain, France and Russia to settle the Austro-Servian conflict in the best interests of peace and equity, and conscious of the freedom of action which German policy had won as a result of the Morocco Agreement with France, the German Government emerged from its lukewarm attitude towards Austria, and declared its intention of supporting the latter's pretensions to the utmost. "*Tua res agitur,*" said the Government to the nation. The cry was quickly taken up by the press, and was accepted throughout the country as accurately describing the situation. If, said Prince von Bülow in the Reichstag on March 29th, *Germany had failed to take the side of her ally, she would very* soon have been faced by the same constellation of Powers as had tried to make Austria give way. An interesting prognostication! But, as so often before, the German Imperial Chancellor was proceeding upon an altogether false assumption. The Anglo-Franco-Russian Triple *Entente,* no more than the *Entente Cordiale* between Great Britain and France, of which it is the natural complement, was not designed against the German Empire. Far from being intended for any purpose hostile to Germany or German interests, it was hoped that it might serve to point the way in which relations of friendship between Germany and her Western neighbors might effectively be restored. Neglecting the signs of the times, the German Government preferred to choose a course which promised to lead to some tangible success.

In 1905, when the Morocco crisis was acute, Germany "rattled with the sabre," France trembled and M. Delcassé, the French Foreign Minister, and one of the authors of the Anglo-French *Entente,* was thrown to the wolves. Taught by experience, the French Government and people have since made ample amends for the costly hesitation of a moment. Ever since the Triple *Entente,* on the part of Great Britain, France and Russia, has become a recognized factor in practical politics, the German Government has been on the lookout for an opportunity of breaking up an understanding which it regarded as an obstacle athwart the path of German ambitions. Only a few days ago, the German Ambassador in St. Petersburg was instructed to intimate to the Russian Government that, unless Russia was prepared to abandon her attitude on the Servian question, she would have to face the consequences of opposing the policy of Germany, which was

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acting in close sympathy with the other great Teutonic Power, Austria-Hungary. Veiled as it was, the menace was unmistakable. Deprived by M. Stolypin's illness of the counsels of the Prime Minister, the Russian Government considered that it had no alternative but to bow to the dictates of superior force. Germany had thrown the sword into the scales, and the sword had won. At least so it seemed to the German Government, and so, it may be added, it seems to the Russian public. The mere fact that an odious campaign against the Russian Foreign Minister, M. Isvolsky, was immediately started in the German press showed that the game had not yet been either lost or won, and if public opinion in Russia can realize in time the object of these German manœuvres the triumph which Prince von Bülow had promised himself as a set-off against his failures in the sphere of home politics will be shorn of more than half its glory.

In some quarters, it has been ingenuously suggested that the effect of recent manifestations of German policy has been to "restore" the balance of power in Europe. That is precisely the belief which Prince von Bülow himself would like to engender. But no one except the most amiable optimist will be found to assert that the maintenance of the balance of power has ever been an object of German policy. What has actually happened in Europe as the result of the German action in St. Petersburg is that the Austro-German alliance stands out in sharp relief as an aggressive combination prepared to vindicate its pretensions by brute force. Those who in season and out of season were wise enough to predict that Germany was the one Power of which readiness to appeal to arms at any moment might safely be premised are now justified in their belief. Whether Austria or Germany, or both, are on the eve of preparing an offensive and defensive alliance with Turkey remains to be seen. In presence of the danger, the Powers of the Triple *Entente* will know what to do.

In the case of an opportunist politician like the Imperial Chancellor, however, a supposition of this kind does not necessarily follow. German relations with England, for example, are being allowed to deteriorate to a point and at a rate which can only spell ultimate disaster to peace and to every interest which its maintenance promotes. This process is euphemistically described as the fulfilment by the German Empire of its destiny and high calling. So be it! But those who of old never wearied of insisting upon the

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essentially pacific tendencies and aspirations of the German people will now be compelled to admit that the German Government, with the support of the German nation, is at all times ready to back up its diplomatic arguments by force of arms. Not content with possessing the most powerful army in the world, Germany is now resolutely bent upon disputing with Great Britain the command of the sea. Smooth words will not turn her from her purpose, as the present British Government has already repeatedly learned to its cost. If the British public, for its part, has not yet learned to draw the moral from the trickery and double-dealing of the German Government, its blood will be upon its own head. Time and again, the warning has been uttered that, if once the German navy is allowed in any degree to approximate in strength to that of the British fleet, the thumb-screws will be applied, and the process of "diplomatic pressure" will be repeated until the object of Germany's policy, the humiliation of her rival, has been achieved. There are predictions which it is no satisfaction to see fulfilled. What happened to Russia yesterday might, if warnings are neglected, happen to England to-morrow. Peace, in the German sense, will have been preserved, but the glory, as far as England is concerned, will have departed.

For years this possibility has been consciously kept in view and the hope of it cherished by the German Government, and by every means, fair and other, they have sought to make this the common aspiration of the German people throughout the world. Thanks to the unscrupulous agitation of the Navy League, and the no less forcibly eloquent arguments furnished by the consciousness of an unparalleled industrial efficiency, they have succeeded in making the supremacy of the German navy the dream of a nation. The repeated failure of modern German statesmen to achieve success in the sphere of foreign policy, in contrast with the positive accomplishments of British policy, has been glibly ascribed to the weakness of the German navy. The German Empire, it has been lamented, cannot and will not occupy the place which its power and resources have marked out for it in the world until the horn of Great Britain has been broken. To this end the creation of a strong navy is the only way. And so the German people is bending its back to the task with a will. The naval estimates are enthusiastically voted without debate, while the question of whence the money is to come remains un-

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solved. The answer, it may be, is being left to the chances of war. If that be the calculation, it is the duty of the British people and the British Empire to foredoom it to signal disappointment. The object of German naval preparations cannot be mistaken, and indeed is disputed in no quarter. The public in England has too long allowed itself to be bamboozled by German protestations and declarations. For all practical purposes they are as worthless as the paper upon which the Berlin Treaty was written, and as transient as the air which received them. But, to do the Germans justice, heavier blame attaches to those in England and elsewhere who invested fair speeches with a significance which they were not necessarily and in all circumstances bound to possess. These generous but foolish misconceptions once excited, it was not the German duty to dispel them, but to take advantage of them to the full. And this the German Government has unfalteringly done. The work of naval construction has been secretly accelerated, and every effort has been exerted in order to lull British suspicions to a rest which might prove fatal. The days of indefeasible optimism and of complacent confidence are over, and the British people as a nation must take to heart the lesson of the German menace to the peace of Europe, that only the strong man armed can keep his goods in safety.

WASHINGTON, *April, 1909.*

ON April 12th Senator Aldrich, as Chairman of the Senate Committee on Finance, reported the tariff bill to the Senate, with the amendments thus far made by the Committee. The bill, as reported, was that which was passed by the House of Representatives on the preceding Friday. No authoritative statement has yet been submitted to the Senate showing the amount of revenue which the Finance Committee's bill might be expected to produce, though a number of guesses have been ventured. The Republican members of the Senate Finance Committee say that there are a great many more reductions of duties in the Senate bill than in the House bill, and that the measure, as finally reported to the Senate, will produce sufficient revenue for the needs of an economically conducted government if it be enacted into law in the shape submitted. In the statement made by Senator Aldrich on April 12th, when he reported the measure, he said that the rates, as revised by the Senate Committee, are lower than those in the

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bill which passed the House, the actual number of reductions being about three times the number of increases. He added that a considerable number of articles in common use have been taken from the dutiable list of the House bill and restored to the free list. The great mass of the rates reported by the Senate Finance Committee are, according to Mr. Aldrich, below those of the existing law. We note, however, that the Senate Committee restored iron ore to the dutiable list at twenty-five cents per ton—a reduction of fifteen cents per ton from the Dingley rate. The House had made large reductions throughout the iron and steel schedule, nearly all of which have been retained by the Senate Committee. In addition to those made by the House, the Senate Committee has made quite a large number of other curtailments. In schedule D, which deals with wood and the manufactures thereof, the Senate has taken the House rate of one dollar a thousand, on rough lumber, a reduction of one dollar from the Dingley law, and has retained the House rates on manufactures of woods, nearly all showing reduction from the Dingley rates. The most important change in this schedule made by the Senate Committee was the restoration of important hard woods to the free list.

The tobacco schedule of the House bill was not changed by the Senate, except that the Senate Committee struck out the provision that filler tobacco from countries which prohibit the importation of tobacco from the United States should be assessed at seventy-five cents a pound if the filler be unstemmed, and at one dollar a pound if stemmed. The House rates on cattle, swine, horses, mules and sheep are retained, but the duty of twenty per cent. in the House bill, on all other live animals not specially provided for, increased to twenty-five per cent. *ad valorem*. On maize the House rate is increased from fifteen to twenty cents per bushel; on oats, from fifteen to twenty cents; on rye, from ten to twenty cents; on wheat from twenty-five to thirty cents. The House provided that beets, including sugar beets, should be assessed at twenty-five per cent. *ad valorem*, which is the present rate. The Senate Committee retained this rate on all beets except sugar beets, the rate on which was reduced to ten per cent. *ad valorem*. The rate on pineapples has decreased from eight dollars, the House bill duty, to seven dollars per thousand. The rates on chicory root are reduced from two and one-half cents to one cent, and from five cents to two and one-half cents per pound. On the other

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hand, the House rate on cabbages has increased from two cents to three cents each, and on hops from ten cents to fifteen cents a pound. Then, again, bacon and hams are assessed at five cents instead of four cents, the House bill rate; fresh meat at two cents instead of one and one-half cents, and lard at two cents instead of one and one-half cents. Chocolate and cocoa, prepared or manufactured, not otherwise specially provided for, are assessed at rates ranging from two and one-half cents per pound to five cents, according to value. In the Payne bill such chocolate (not cocoa) was assessed at rates from five to nine cents per pound. Crude cocoa and leaves and shells of cocoa were assessed at three cents per pound in the House bill. The Senate transfers the last-named articles to the free list. Cocoa butter, including all substitutes for it, is made dutiable at three and one-half cents per pound, instead of the five-cent rate in the Payne bill. Dandelion root, and other articles used as substitutes for coffee, not specially provided for, are made dutiable at two and one-half cents per pound in place of four cents provided in the House bill. Tea and coffee, which were made free by the House bill, are retained on the free list by the Senate.

In the spirits schedule there are a number of changes from the House rates. For instance, there is an increase of from $2.25 to $2.60 a gallon on brandy and other spirits not specially provided for; on cordials there is an increase from $2.25 to $2.65 a gallon. We observe, also, that imitations of brandies, spirits or wines, imported under any name whatever, are subjected by the Senate to the highest rates of duty provided for the genuine articles, and the minimum rate is increased from $1.50 to $1.75 a gallon. The duty on bay rum or bay water is increased by the Senate from $1.50 to $1.75 a gallon.

Champagnes and all other sparkling wines in bottles of more than a pint and not more than a quart are assessed by the Senate Finance Committee at $9.60 instead of $8 a dozen. Corresponding changes of rate are imposed on larger or smaller bottles. Vermouth is to be dutiable at the same rate as that prescribed for cordials, instead of at the rate provided for still wines in the House bill. Still wines are made dutiable in the Senate bill at higher rates than those which had been adopted by the House, the Senate rates being based on the percentage of alcohol or character of the receptable.

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It will interest women to know that the Senate Finance Committee has made reductions averaging fifteen per cent. in the specific duties imposed by the House bill on hats and bonnets, which in some instances have been raised above the Dingley rates. The Senate Committee has also struck out the House paragraph in regard to gloves, and has restored the rates in the existing law. It has also reduced the House rates on hosiery, preferring the retention of the present rates.

In the schedule dealing with works of art, the House of Representatives provided that paintings and sculptures more than twenty years old should be admitted free. This provision the Senate has amended so as to provide that works of art generally more than twenty years old, and artistic antiquities more than one hundred years old, should be admitted free.

The Senators added to the free list mustard seed, articles in the crude state used in dyeing or tanning; ashes, wood and lye, and beet-root ashes; carbonate or witherite of baryta; copperas or sulphate of iron; raw silk reeled from the cocoon or re-reeled, but not wound, doubled, twisted or advanced in manufacture in any way; spices; cassia, cassia vera and cassia buds; nutmegs, cloves, cinnamon and ginger root unground and not preserved or candied; various kinds of woods suitable for walking-sticks, umbrellas, etc.

There is not a doubt that the people, as a whole (outside of the manufacturers), want revision downward, and if they cannot get it at the hands of the Republican party will be constrained to turn to the Democratic organization. The American people fully recognize, at the same time, the necessity of securing a revenue sufficient to meet the annual needs of the Government. It does not follow that they concur with President Taft's wish to see a large Federal tax imposed on inheritances. Inheritances have hitherto been looked upon as constituting one of the principal fiscal resources of the constituent States. It would not be easy, therefore, to persuade the Senate to sanction Federal interference with this source of revenue. The enactment of an income tax seems more probable, and there are rumors current in Washington that the United States Supreme Court might not now show itself so hostile to that form of fiscal legislation as it did under the second Cleveland administration when by a majority of one it pronounced an income tax unconstitutional.

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THE EDITOR'S DIARY.

The Abuse of the Psychological Moment.

NEWSPAPERS and magazines are doubtless but the writing of history as it happens, and they have their own value as reflecting the views, the emotions, the outlook, of the moment; but the journalist who fancies that his whole responsibility begins and ends with this statement has much to learn. There are two sides even to the moment's emotion; there is always the true aspect and the false, the lasting aspect and the fleeting. To catch the public interest at the very moment of an event is something; but surely such papers as consider timeliness before content are sacrificing the larger as well as the better half of their *clientèle*. Nothing so adds to the worth, the real value, of the papers of to-day as a distinct stand against sensationalism, against tickling the palate of the masses. It is true that the death of a great man should be chronicled at the moment of the happening, and some sort of statement made of the esteem in which he is held; but it is also true that the really critical estimates of a man's work and genius should not be done ten years before his death and stowed away in a drawer, but that it should be carefully and slowly done after his death, when all the data are to hand; and surely such critical article ought to be just as valuable six or ten months or a year after a man has passed from us as one month later. A young writer, who had had the inestimable advantage of knowing intimately the great St.-Gaudens, of being advised and encouraged and helped by his friendship, example and counsel, and who had a long series of the great artist's personal letters, recently lamented being unable to set these reminiscences into shape at once, saying: "Four months from now, when I can turn my hand to it, all the papers will say that the interest in St.-Gaudens has passed for the mo-

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ment and they can hardly find room," etc., etc. But by this method the whole object of newspapers and current magazines, that they shall record history in the making, is thwarted, and they become no better than unreliable gossips. After all, the public is not so much interested in the happening of the moment as it is interested in what is well and vitally set forth. The permanent interest in Shakespeare's plays grows out of the fact of his deep insight into human nature; he knew not only what was interesting at the moment and what was expected by his audience, but he also knew what lay beneath—the undying interest in men for man, for true characterization, for facts of temperament and the natural clash and interplay of temperaments under given situations. When the whole truth is told, it is the permanent, the vital and the real that the people care about, and once a journalist learns this he can chronicle events of a century or of ten years back with as much verve and abandon as last night's tragedy, and it will be just as interesting; the more he is able, too, to connect last night's tragedy with the events of a century past, the more will people be eager to read his work.

There is a great abuse made of the psychological moment, and it is just as well to know that it is the truth of the moment which is interesting and that every moment and every event has its permanent and valuable sides, and who seizes these is the successful journalist.

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